

FE

ADMINISTRATIVE FILE

Feakes, Melvin Arthur

X

X Rhodes, Earl C

January 6, 1964

Mr. Earl C Rhodes
Post Office Box 234
Marionville, Missouri

Dear Mr. Rhodes:

With respect to your letter of October 18th,
I deeply regret that this office does not keep a record
of names and addresses of members, and consequently, we
cannot be of any assistance to you in this matter.

Very truly yours,

Joseph Konowe
Administrative Assistant

JK/mc

October 13, 1964

International Brotherhood of Teamsters
25 Louisiana Avenue N.W.
Washington, D.C. 20001

Dear Sir,

I am authorized to locate a Mr. Melvin Arthur Finkes, date of birth August 6, 1910. He is needed at home because of sickness and death in the family. He was last known to have worked for the Bruce and Melvin Company, Pompano, Florida and belonged to the local there. The General Team and Warehouse. Finkes was Warehouse Man, Local 5. He was last seen paying dues here April of 1962. He has worked as truck driver and warehouse man for vegetable produce houses.

Mr. Finkes left about 1953 and was heard from in Flamingo, Florida about two years ago and again in New Mexico 6-7 years ago. He has not been heard from since. Would you have any information on this man since 1962? I am also in need of his S.O. Number. Do you have the name and address of all members in the United States?

I request a very Early reply as his mother is very sick. Any suggestions you have will be appreciated. Mr. Finkes has a nickname "Duke".

Very Sincerely,

Ferl C Rhodes, Investigator
P.O. Box 234
MARIETTA, MISSOURI

Did not receive answer to above
inquiry. please return this
after copy with answer. Your
after my home I have heard
I will be able to obtain a
a member of IAM 1475 myself.
So that I may be able to help the average member who would not be helped
otherwise.

ADMINISTRATIVE FILE

Scaveth, Tony

X

October 23, 1959

Mr. Tony Feaneth
125 South Weadock Street
Eggenaw, Michigan

Dear Sir and Brother:

Your letter of October 5, 1959 was received in this office on
October 5, 1959.

I have been very busy; but as soon as I can, I will contact you
and arrange to either talk to you by long distance telephone
or to talk to you personally.

Fraternally yours,

Gene San Soucie
Gene San Soucie, Recording Secy.
Central Conference of Teamsters

GSS:mhd

cc: Mr. James R. Hoffa

ADMINISTRATIVE FILE

Feder, Darryl

X

X

December 11, 1961

Mr. Darryl Feder
4722 West Enfield Street
Skokie, Illinois

Dear Mr. Feder:

I have your letter of December 6,
and want to express my appreciation for your
taking the time to write me.

I am glad to see that young men
like you have more than just a passing in-
terest in the economy of our country.

Keep up the good work and thank
you for writing.

Sincerely,

James R. Hoffa
General President

KRM
JRH:10

4722 West Enfield Street
Skokie, Illinois

Mr. James R. Hoffa, President.
Teamsters International Union
Teamster Building
Miami, Florida.

Dear Mr. Hoffa:

Why doesn't Washington leave you alone and concentrate on federal government corruption? Why are they trying to destroy an organization which has helped expedite the economic growth of America? As a student at Roosevelt University I have learned that the majority isn't always right. However, if the topic of you and the teamsters is to be discussed with my fellow management students it seems that the majority then bows three times towards Washington and utters the senatorial judgement that you and the teamsters are a "bunch of crooks." There has been more than one occasion where I have found myself trying to justly defend you and the teamster movement and taking a couple of lumps for it. This doesn't change my belief one bit, it only enforces it. One of the things that has given me the courage to face sometimes overpowering odds is the fact that you have done the same thing during your career as president. I can't help but have a tremendous amount of respect for a man who works his way up through such a huge organization as the Teamsters International and eventually becomes head of it through his own hard work and initiative. I may only be nineteen years old, but because of your inspiring image as the fighting leader of the team-

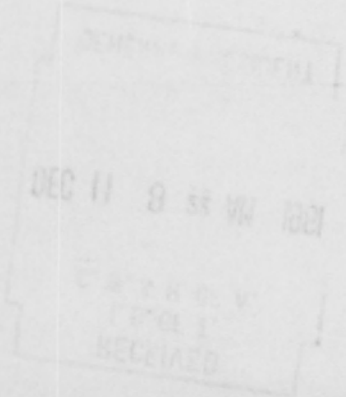
(2)

sters I am going to devote my future to the labor organization and development movement in the United States. In fact, if there is any way I can help you and the teamster movement either now, while I am in college or during my summers until graduation I would consider it a privilege.

I realize that I have already taken up much of your valuable time so I shall end here.

Sincerely yours,

Darryl Feder
Darryl Feder



ADMINISTRATIVE FILE ✓

Federal Advisory Council
on the Arts

Legislation - H.R. 12239

84TH CONGRESS
2d Session

H. R. 12239

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 1956

Mr. KEARNS introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide for the establishment of a Federal Advisory Council on the Arts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Congress hereby finds and declares, and it is the
4 policy of the Congress in enacting this Act—

5 (1) that the growth and flourishing of the arts de-
6 pend upon freedom, imagination, and individual initia-
7 tive;

8 (2) that the encouragement of creative activity in
9 the performance and practice of the arts, and of a wide-
10 spread participation in and appreciation of the arts, is
11 essential to the general welfare and the national interest;

1 (3) that as workdays shorten and life expectancy
2 lengthens, the arts will place an ever more important
3 role in the lives of our citizens; and

4 (4) that the encouragement of the arts, while pri-
5 marily a matter for private and local initiative, is an
6 appropriate matter of concern to the United States
7 Government.

8 SEC. 2. (a) There is hereby established in the Depart-
9 ment of Health, Education, and Welfare, a Federal Ad-
10 visory Council on the Arts (hereinafter in this Act re-
11 ferred to as the "Council"). The Council shall be com-
12 posed of twenty-four members appointed by the President,
13 from among private citizens of the United States who are
14 widely recognized for their knowledge of or experience
15 or profound interest in, one or more of the arts. Twenty-
16 one of such members shall be representative of the following
17 seven major art fields and each of the seven art fields shall
18 have at least two representatives: Music, drama, and dance;
19 literature; architecture and allied arts; painting, sculpture,
20 graphic and craft arts, and photography; motion pictures;
21 radio and television; and three members shall be persons
22 who have been or are associated with organizations or
23 institutions engaged in preserving, displaying, or advancing
24 the arts, or promoting the creation or understanding of the
25 arts. In making such appointments the President shall

1 give due consideration to a balance of representation from
 2 the seven major art fields, appropriate to the activities of
 3 the Council.

4 (a) The term of office of each member of the Council shall
 5 be six years, except that the term of one-third of the mem-
 6 bers first appointed shall be for two years, one-third for four
 7 years, and one-third for six years. No member of the Coun-
 8 cil shall be eligible for reappointment during a two-year
 9 period following the expiration of his term. The terms of
 10 office shall begin for the first members of the Council on
 11 January 1, 1957.

12 The Council shall meet at the call of the Chairman or
 13 the Secretary of Health, Education, and Welfare (herein-
 14 after referred to as the "Secretary"), but not less often than
 15 twice each calendar year. The President shall from time to
 16 time designate a member of the Council to be Chairman.

17 (b) The Council shall have an executive secretary who
 18 shall be appointed by the Secretary after consultations with
 19 the Council. Within the limits of appropriations available
 20 therefor, the Secretary shall also provide the Council, its
 21 executive secretary, and members of its special committees
 22 with necessary secretarial, clerical, and other staff assistance.

23 SEC. 8. A major duty of the Council shall be to recom-
 24 mend ways to maintain and increase the cultural resources of
 25 the United States. A primary purpose of the Council is to

1 propose methods to encourage private initiative and its co-
 2 operation with local, State, and Federal departments or
 3 agencies to foster artistic and cultural endeavors and the use
 4 of the arts both nationally and internationally in the best
 5 interests of our country, and to stimulate greater appreciation
 6 of the arts by our citizens.

7 To these ends the Council shall undertake studies of and
 8 make recommendations relating to, appropriate methods con-
 9 sistent with the policy set forth in the first section of this
 10 Act for encouragement of creating activity in the perform-
 11 ance and practice of the arts and of participation in and
 12 appreciation of the arts. Such studies shall be conducted by
 13 special committees of persons, expert in the field of art in-
 14 volved, appointed by the Secretary after consultation with
 15 the Council, which shall give due consideration to recom-
 16 mendations for nomination submitted by the established
 17 national organizations in such field of art. After consider-
 18 ing reports on these studies, the Council shall make recom-
 19 mendations in writing to the Secretary. In the selection
 20 of subjects to be studied and in the formulations of recom-
 21 mendations, the Council may obtain the advice of any
 22 interested and qualified persons and organizations.

23 **Sec. 4.** Members of the Council and members of special
 24 committees appointed pursuant to section 3, while attending

meetings of the Council or while engaged in the conduct of studies hereunder, shall receive compensation at a rate to be fixed by the Secretary, but not exceeding \$50 per diem, and shall be paid travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 734-2) for persons in the Government service employed intermittently.

Sec. 5. (a) Any member of the Council or of a special committee, appointed under this Act, and any other person appointed, employed, or utilized in an advisory or consultative capacity under this Act is hereby exempted, with respect to such appointment, employment, or utilization, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code, except as otherwise specified in subsection (b) of this section.

(b) (1) The exemption granted by subsection (a) of this section shall not extend to the following acts performed as an officer or employee of the United States by any person so appointed, employed, or utilized: (A) The negotiation or execution of, or (B) the making of any recommendation with respect to, or (C) the taking of any other action with respect to, any individual contract or other arrangement under this Act with the private employer of such person or any corporation, joint stock company, association,

1 firm, partnership, or other business entity in the pecuniary
2 profits or contracts of which such person has any direct
3 or indirect interest.

4 (2) The exemption granted by subsection (a) of this
5 section shall not, during the period of such appointment,
6 employment, or utilization and the further period of two
7 years after the termination thereof, extend to the prosecu-
8 tion or participation in the prosecution, by any person so
9 appointed, employed, or utilized, of any claim against the
10 Government involving any individual contract or other ar-
11 rangement entered into pursuant to this Act concerning
12 which the appointee had any responsibility during the period
13 of such appointment, employment, or utilization.

14 SEC. 6. There are hereby authorized to be appropriated
15 to the Department of Health, Education, and Welfare such
16 sums as may be necessary to carry out this Act, including
17 expenses of professional, clerical, and stenographic assistance.

18 Such appropriations shall be available for services as author-
19 ized by section 15 of the Act of August 2, 1946 (5 U. S. C.
20 55a).

21 SEC. 7. This Act shall not be deemed to invalidate any
22 provision in any Act of Congress or Executive order vesting
23 authority in the Commission of Fine Arts.

84TH CONGRESS
2D Session

H. R. 12239

A BILL

To provide for the establishment of a Federal
Advisory Council on the Arts, and for other
purposes.

By Mr. KEARNS

July 18, 1956

Referred to the Committee on Education and Labor

84TH CONGRESS
2D SESSION

S. 4209

ADMINISTRATIVE FILE

Federal Airport Act
X Legislation - S. 4209
-X

IN THE SENATE OF THE UNITED STATES

JULY 12, 1956

Mr. PAYNE introduced the following bill; which was read twice and referred
to the Committee on Interstate and Foreign Commerce

A BILL

To amend the definition of the term "Airport development"
in the Federal Airport Act, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That paragraph (3) of section 2 (a) of the Federal Airport
4 Act, as amended (49 U. S. C. 1101 (a) (3)), is amended
5 by adding at the end of such paragraph a new sentence as
6 follows: "Such term also means the periodic seal coating of
7 flexible airport pavements and the filling of joints in rigid
8 airport pavements to avoid ultimate reconstruction of such
9 pavements."

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to the Committee on Interstate and Foreign Commerce
The Senate has passed the following bill: report was made twice and required

pass 1st time

IN THE SENATE OF THE UNITED STATES

THE SENATE
8TH CONGRESS

24503

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92. 2033-2034
93. 2035-2036
94. 2037-2038
95. 2039-2040
96. 2041-2042
97. 2043-2044
98. 2045-2046
99. 2047-2048
100. 2049-2050

84TH CONGRESS
2d Session

S. 4209

A BILL

To amend the definition of the term "Airport development" in the Federal Airport Act, as amended.

By Mr. PAYNE.

JULY 12, 1956

Read twice and referred to the Committee on Interstate and Foreign Commerce

ADMINISTRATIVE FILE

Federal Bar Association

X

X

June 1, 1964

MEMORANDUM

TO: General Secretary-Treasurer English

FROM: Florian Bartonic

Attached is a memorandum dated May 25, 1964, to General President Hoffa on which Mr. Hoffa has indicated his approval for Mr. Bernstein to attend, at union expense, a Briefing Conference to be conducted on the Landrum-Griffin Act in Washington, D. C. on June 4 - 5, 1964

This will request that pursuant to the authorization, a check be drawn in the amount of \$60.00 payable to the Federal Bar Association. I would appreciate it if you would have this check delivered to my office.

Florian Bartonic
House Counsel

FB/ah
Attachment

Office of the General President

To: General President Maffa
From: H. J. Gibbons

ADMINISTRATIVE FILE

S.B.D.

X

X November 15, 1962

Attached is a transcript of a two-hour radio show on WBAI in New York City, in which a former FBI agent makes some revealing comments on J. Edgar Hoover's organization.

We are sending this to you for your information.

HJC/ms

H. J. Gibbons
Executive Assistant
to the General President

ADMINISTRATIVE FILE

Federal C. M. Report
X Raymond, Charles M.
X

October 5, 1961

Mr. Charles M. Raymond
57 East Ashland Street
Doylestown, Pa.

Dear Mr. Raymond:

Thank you for your letter of
October 4, 1961, and for the present time
we will keep your letter on file for pos-
sible future use.

Yours very truly,

H. J. Gibbons
Executive Assistant to the
General President

HJG:ld

FEDERAL C B/L REPORT

P.O. BOX 506
DOYLESTOWN, PA

Mr. James Hoffa, President
Teamsters Union
25 Louisiana Ave., N.W.,
Washington 1, D.C.

October 4, 1961

Dear Mr. Hoffa:

I have a proposal for your consideration which I feel would be profitable to your union, the trucking industry, and to you personally.

For the past ten years I have published a weekly paper advising the trucking industry about FOB Destination government contracts. I enclose a cover of the report which explains the service in detail.

There is hardly a large company in the industry which has not at one time or another subscribed to this service. And this at rates of a hundred dollars per year and upwards.

The high cost of sales has finally convinced me that I can't make a go of it personally.

My suggestion is that I publish the paper for you at a salary, or that I quote you a mass subscription rate. With increased circulation advertising (such as the inserts in "Transport Topics" could be carried which could easily offset the cost of publication and distribution.



I feel that this would give you really good national publicity, create good will in the trucking industry, and perhaps even be a profitable venture for the Teamsters.

I would certainly appreciate your views on the subject at your earliest convenience.

Very truly yours,

Charles M. Raymond
Charles M. Raymond
57 East Ashland St.,
Doylestown, Penna.
Tel: Fillmore 8-3730

CMR:hc
Encl:



FEDERAL C B/L REPORT

P. O. BOX 506
57 E. ASHLAND ST.
DOYLESTOWN, PA.

A weekly publication listing freight moving throughout the United States as a result of government contracts—paying particular attention to commercial bill movements, to the accuracy of the information, and to the speed with which it is placed in your hands.

For quick reference, this Report is divided into two sections. In Section I, origin and destination only are given. The states are listed alphabetically, and the movements under the appropriate states according to point of origin. Each item is numbered consecutively, and the following detailed information is given under the corresponding number in Section II: The actual shipper, the destination, commodity description with weight or number of units, the approximate date of shipment, the bid number, and the awarding government agency.

Of course the information contained in this Report is for the exclusive use of our Subscribers. Its reuse, in whole or in part, is prohibited.

All shipments are FOB Destination unless marked GB/L — in which case they are FOB Origin.

File

ADMINISTRATIVE FILE
Federal Communications
Commission

February 5, 1958

Mr. John Doerfer,
Chairman
Federal Communications Commission
Washington, D. C.

Dear John:

Just a line to let you know how deeply I sympathize with your position, and agree with your charges that you are being subjected to an unfair "trial by innuendo".

As we have learned through the sad experience of some of our clients during the past year, it makes no difference whether the particular Committee is Republican or Democrat or 50-50 -- the desire for headlines, sensation, and political advantage inevitably leads to prosecution, persecution and exposure for exposure's sake rather than an impartial investigation to aid in the legislative process.

Good luck to you.

With warm personal regards,

Sincerely

DP:lb

DAVID PREVIAINT

ADMINISTRATIVE FILE

*Federal Distribution
Statistics*

CONFERENCE ON FEDERAL DISTRIBUTION STATISTICS X

SEASIDE-HILTON HOTEL

WASHINGTON, D. C.

WEDNESDAY, SEPTEMBER 28, 1960

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8:30 AM -	9:15 AM	Registration	Upper Lobby
9:15 AM -	9:45 AM	General Session	Pan American Room
9:45 AM -	11:45 AM	Three Workshops	
		I - Statistics Relating to Retail Sales, Inventories, Organization and Structure	Ohio Room
		II - Statistics Relating to Wholesale Sales, Inventories, Organization and Structure	Massachusetts Room
		III - Other Statistics Relating to Distribution Needed for Economic Analysis	California Room
11:45 AM -	1:15 PM	Luncheon	Pan American Room
1:15 PM -	3:45 PM	Resume Work Shops	
3:45 PM -	4:45 PM	Second General Session	Pan American Room

ADMINISTRATIVE FILE
Federal Election Laws
X Legislation: S 3308
X 0

84th CONGRESS
2d Session
S. 3308

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 1956

Mr. JOHNSON of Texas (for himself, Mr. KNOWLAND, Mr. CLEMENTS, Mr. BRIDGES, Mr. HAYDEN, Mr. MANASTRA, Mr. MORSE, Mr. SCOTT, Mr. DIRKSEN, Mr. HUMPHREY, Mr. ANDERSON, Mr. SPARKMAN, Mr. MAHON, Mr. FULBRIGHT, Mr. NEELY, Mr. KEHR, Mr. O'MAHONEY, Mr. DANIEL, Mr. CARLSON, Mr. KENNEDY, Mr. GREEN, Mr. BULL, Mr. COTTON, Mr. MURRAY, Mr. FREAR, Mr. JACKSON, Mr. PATTON, Mr. BUCH, Mr. TATE, Mr. JOHNSON of South Carolina, Mr. GROMM, Mr. CASE of South Dakota, Mr. STANTON of Pennsylvania, Mr. SMITH, Mr. BEALL, Mr. MOHRSEY, Mr. EASTLAND, Mr. THURMOND, Mr. McCLELLAN, Mr. SMITH of New Jersey, Mr. HOLLAND, Mr. DUFF, Mr. PAYNE, Mr. ELLENDER, Mr. THYE, Mr. SALTONSTALL, Mr. BUCHER, Mr. STENNIS, Mr. BRIDGES, Mr. BENNETT, Mr. HICKENLOOPER, Mr. ERVIN, Mr. MALONE, Mr. WILLY, Mr. KUCHEL, Mr. ALBERT, Mr. CASE of New Jersey, Mr. BURTON, Mr. JENNER, Mr. WALKER, Mr. GOLDWATER, Mr. MARTIN of Iowa, Mr. McARTHUR, Mr. BARRETT, Mr. HENRICH, Mr. YOUNG, Mr. KEFAUVER, Mr. ROBERTSON, Mr. CHAVEZ, Mr. LONG, Mr. BYRD, Mr. CAPPHART, Mr. CURTIS, and Mr. POTTER) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To revise the Federal election laws, to prevent corrupt practices in Federal elections, to permit deductions for Federal income tax purposes of certain political contributions, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

1 That this Act may be cited as the "Federal Elections Act
2 of 1956".

3 TITLE I—CORRUPT PRACTICES

4 SEC. 101. (a) Section 302 (b) of the Federal Corrupt
5 Practices Act, 1925, is amended to read as follows:

6 " (b) The term 'candidate' means an individual whose
7 name is presented at an election for President or Vice Presi-
8 dent, or Senator or Representative in, or Delegate or Resi-
9 dent Commissioner to, the Congress of the United States,
10 whether or not such individual is elected;".

11 (b) Section 302 (c) of such Act is amended to read as
12 follows:

13 " (c) The term 'political committee' includes any com-
14 mittee, association, or organization which accepts contribu-
15 tions or makes expenditures in an aggregate amount exceed-
16 ing \$100 in any calendar year for the purpose of influ-
17 encing or attempting to influence in any manner whatsoever
18 the election of candidates or Presidential or Vice Presidential
19 electors;".

20 (c) Section 302 (d) of such Act is amended to read as
21 follows:

22 " (d) The term 'contribution' includes a gift, subscrip-
23 tion, loan, subvention, advance, or deposit, of money, or
24 anything of value, and includes a contract, promise, or agree-

1 ment, whether or not legally enforceable, to make a con-
2 tribution;".

3 (d) Section 302 (e) of such Act is amended to read
4 as follows:

5 "(e) The term 'expenditure' includes a payment, distri-
6 bution, loan, subvention, advance, deposit, or gift, of money
7 or anything of value, and includes a contract, promise, or
8 agreement, whether or not legally enforceable, to make an
9 expenditure;".

10 SEC. 102. Section 303 (e) of such Act (relating to
11 keeping of receipted bills for expenditures by political com-
12 mittees) is amended by striking out "\$10" and inserting in
13 lieu thereof "\$100".

14 SEC. 103. Section 303 of such Act is further amended
15 by adding at the end thereof the following new subsection:

16 "(d) (1) No contribution shall be accepted and no ex-
17 penditure made, by or on behalf of a political committee
18 (other than a political committee which is a branch, sub-
19 sidiary, or affiliate of a political party legally existent under
20 the laws of the State within which it is located) until the
21 candidate (or a representative designated by him in writing)
22 has authorized in writing the political committee to support
23 his candidacy and has filed a copy of such authorization with

1 the Clerk of the House of Representatives. In the case of
 2 political committees supporting a candidate for President,
 3 Vice President, or Senator, such authorization shall also be
 4 filed with the Secretary of the Senate.

5 " (2) Upon the filing by a candidate of a withdrawal
 6 of authorization with the Clerk of the House of Representa-
 7 tives (and, in the case of candidates for President, Vice
 8 President, or Senator, with the Secretary of the Senate),
 9 and upon the receipt of notice of withdrawal of authorization
 10 by the treasurer of a political committee, the political com-
 11 mittee shall be prohibited from receiving further contribu-
 12 tions or making further expenditures on behalf of the candi-
 13 date unless a new authorization is filed."

14 SEC. 104. Section 305 of such Act (relating to state-
 15 ments to be filed by political committees) is amended to
 16 read as follows:

17 "SEC. 305. (a) The treasurer of a political committee
 18 shall file with the Clerk of the House of Representatives,
 19 on a form to be prescribed by him, between the first and
 20 fifth days of July in each year, and also on the fifth day
 21 next preceding the date on which an election is to be held,
 22 with respect to which contributions were received or ex-
 23 penditures made by such committee, and also on the fifth
 24 day of January, a statement containing, complete as of the
 25 fifth day next preceding the date of filing—

"(1) the name and address of each person who has made a contribution to or for such committee in one or more items of the aggregate amount or value, within the calendar year, of \$100 or more, together with the amount and date of such contribution, and the names of the contributors shall be arranged alphabetically within each category, according to the amount of contribution as follows: \$100 to \$499; \$500 to \$999; and \$1,000 and over;

"(2) the total sum of the contributions made to or for such committee during the calendar year and not stated under paragraph (1);

"(3) the total sum of all contributions made to or for such committee during the calendar year;

"(4) the name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of \$100 or more has been made by such committee, and the amount, date, and purpose of such expenditure;

"(5) the total sum of all expenditures made by such committee during the calendar year and not stated under paragraph (4); and

"(6) the total sum of expenditures made by such committee during the calendar year.

"(b) (1) Each item of expenditure shall be described in

1 sufficient detail to accurately identify it, including, in the
 2 case of printed cards, pamphlets, circulars, posters, dodgers,
 3 booklets, or other such advertisements, writings, or other
 4 statements (such as reprints from periodicals, books, news-
 5 papers, or other publications), the title and number of each;
 6 in the case of newspaper advertisements, the names of the
 7 newspapers; and in the case of radio and television time, the
 8 names of the stations. In the case of political committees
 9 supporting more than one candidate (including State and
 10 local candidates), the amount of the total expenditures
 11 allowable to each candidate shall be in the same ratio as
 12 specific expenditures on behalf of each candidate (including
 13 State and local candidates) for printing and advertising,
 14 radio time, and television time bears to the total of such
 15 expenditures. (b) to describe how such adt (b) " 31

16 " (2) Each expenditure shall also be described by gen-
 17 eral category, including (i) personal services and reimbursed
 18 expenses (salaries, commissions, fees, traveling, and sub-
 19 sistence), (ii) printing and advertising other than radio
 20 and television, (iii) radio, (iv) television, (v) office over-
 21 head, (vi) subvention or transfer to other political committee
 22 or candidate, (vii) miscellaneous, and the total expenditure
 23 for each such category shall be listed. (c) " 32

24 " (c) The statements required to be filed by subdivision
 25 (a) shall be cumulative during the calendar year to which

1 they relate, but where there has been no change in an item
2 reported in a previous statement only the amount need be
3 carried forward.

4 “(d) The statement filed on the fifth day of January
5 shall cover the preceding calendar year.

6 “(e) In the case of political committees supporting
7 candidates for President, Vice President, or Senator, a copy
8 of the statement filed with the Clerk of the House of Rep-
9 resentatives under subsection (a) shall be filed with the
10 Secretary of the Senate.”

11 SEC. 105. Section 306 of such Act (relating to state-
12 ments to be filed by persons other than political committees)
13 is amended to read as follows:

14 “SEC. 306. (a) Every person (other than a political
15 committee) who makes an expenditure in one or more
16 items, aggregating \$100 or more within a calendar year, other
17 than by contribution to a candidate or political committee,
18 for the purpose of influencing the election of candidates, shall
19 file with the Clerk of the House of Representatives an item-
20 ized detailed statement of such expenditure in the same man-
21 ner as required of the treasurer of a political committee by
22 section 305, and in the case of any expenditure in support of
23 a candidate for President, Vice President, or Senator shall file
24 a copy of the statement with the Secretary of the Senate.

25 “(b) Every individual who makes contributions and/or

1 expenditures in one or more items aggregating more than
2 \$5,000 within a calendar year for the purpose of influencing
3 the election of candidates in any and all Federal elections,
4 shall file with the Clerk of the House of Representatives a
5 consolidated statement showing all such contributions and/or
6 expenditures, described in sufficient detail to accurately
7 identify them, including the amount of each item, the date
8 when made, and the name and address of the person to
9 whom made."

10 Sec. 106. Section 307 of such Act (relating to state-
11 ments to be filed by candidates) is amended to read as
12 follows:

13 "Sec. 307. (a) Every candidate shall file with the Clerk
14 of the House of Representatives on the fifth day before,
15 and also within thirty days after, the date on which an
16 election is to be held—

17 "(1) a correct and itemized detailed statement of
18 contributions received by him and expenditures made by
19 him in aid or support of his candidacy for election, or
20 for the purpose of influencing the result of the election,
21 in the same manner as required of the treasurer of a
22 political committee by section 305, including, in the case
23 of contributions, amounts expended from his own funds;
24 and

25 "(2) a statement of every promise or pledge made

1 by him or by any person for him with his consent, prior
 2 to the closing of the polls on the day of the election,
 3 relative to the appointment or recommendation for ap-
 4 pointment of any person to any public or private pos-
 5 tion or employment for the purpose of procuring support
 6 in his candidacy, and the name, address, and occupation
 7 of every person to whom any such promise or pledge
 8 has been made, together with the description of any such
 9 position. If no such promise or pledge has been made,
 10 that fact shall be specifically stated.

11 “(b) The statements required to be filed by subdivision
 12 (a) (1) shall be cumulative, but where there has been no
 13 change in an item reported in a previous statement only the
 14 amount need be carried forward. The statement to be filed
 15 on the fifth day preceding an election shall be complete as of
 16 the fifth day next preceding the date of filing, and the state-
 17 ment to be filed within thirty days after an election shall be
 18 a final and complete statement.

19 “(c) Every candidate shall enclose with his first state-
 20 ment a report, based upon the records of the proper State
 21 official, stating the total number of votes cast at the election
 22 required to be used as a basis for the computation under sec-
 23 tion 300 (b) (2) or (3).

24 “(d) For the purpose of further informing the Congress

1 and public, every candidate for nomination or election to the
2 Senate or the House of Representatives shall file with the
3 Secretary of the Senate or the Clerk of the House, respec-
4 tively, within thirty days following an election a certified true
5 copy of any statement or statements of campaign contribu-
6 tions and expenditures required to be filed by him in his
7 State by the laws thereof, and the Committee on Rules and
8 Administration of the Senate and the Committee on House
9 Administration of the House of Representatives, respectively,
10 shall determine only that such statements are in fact true
11 copies of the reports filed in the particular States. II

12 " (c) In the case of a candidate for Senator, a copy of
13 the statement filed with the Clerk of the House of Repre-
14 sentatives under subsection (a) shall be filed with the Sec-
15 retary of the Senate."

16 Sec. 107. Section 308 of such Act is amended by add-
17 ing at the end thereof the following new paragraph:

18 "A copy of every statement required to be filed under
19 the provisions of this title (except statements filed under
20 section 307 (d)) shall also be filed with the clerk of the
21 United States district court in the district in which the prin-
22 cipal office of the political committee is located, in the case
23 of statements by political committees; in the district in which
24 the candidate resides, in the case of statements by candi-

1 dates; and in the district in which contributions are received
2 and expenditures made, in the case of statements by others."

3 Sec. 108. (a) Subsection (b) of section 309 of such
4 Act (relating to limitations on amount of expenditures by
5 candidates), is amended to read as follows:

6 "(b) Unless the laws of his State prescribe a less
7 amount as the maximum limit of campaign expenditures, a
8 candidate, in his campaign for election, may make expendi-
9 tures up to—

10 "(1) the sum of \$75,000 if a candidate for
11 Senator or Representative at Large, or the sum of
12 \$15,000 if a candidate for Representative, Delegate, or
13 Resident Commissioner; or

14 "(2) in the case of candidates for Senator or Rep-
15 resentative at Large, an amount equal to the amount
16 obtained by multiplying 20 cents by the total number of
17 votes cast in any election held in the State in the pre-
18 ceding four years; or

19 "(3) in the case of candidates for Representative,
20 Delegate or Resident Commissioner, an amount equal
21 to the amount obtained by multiplying 20 cents by the
22 total number of votes cast in any election held in the
23 State in the preceding four years for all candidates for
24 the office which the candidate seeks."

1 (b) Section 309 of such Act is further amended by
 2 adding at the end thereof the following new subsection:

3 " (d) For the purposes of the limitation prescribed in
 4 subsection (b) there shall be included in the total of ex-
 5 penditures made by a candidate the expenditures made on
 6 behalf of the candidate by all committees except those not
 7 authorized to support his candidacy. In the case of political
 8 committees supporting more than one candidate (including
 9 State and local candidates), the amount of the total ex-
 10 penditures allocable to each candidate shall be in the same
 11 ratio as specific expenditures on behalf of each candidate
 12 (including State and local candidates) for printing and
 13 advertising, radio time, and television time bears to the
 14 total of such expenditures."

15 SEC. 109. Section 314 of such Act is amended by adding
 16 at the end thereof the following new subsections:

17 " (c) Any candidate who knowingly consents to any
 18 violation of this title by an authorized political committee shall
 19 be fined not more than \$10,000 and imprisoned not more than
 20 two years.

21 " (d) To assist the Congress in appraising the admin-
 22 istration of this Act and in developing such amendments or
 23 legislation related thereto as it may deem necessary, the ap-
 24 propriate committees of the Senate, in the case of candidates
 25 for President, Vice President, or Senator, as well as in the

1 case of political committees supporting candidates for election
 2 to such offices, and the appropriate committees of the House
 3 of Representatives, in the case of candidates for Representa-
 4 tive, Delegate, or Resident Commissioner, as well as in the
 5 case of political committees supporting candidates for election
 6 to such offices, shall exercise continuous watchfulness of the
 7 administration of this Act by the agencies concerned. It
 8 shall be the duty of these committees—

9 “(1) to study all pertinent reports filed under the
 10 provisions of this Act and such other materials as may
 11 be necessary;

12 “(2) to ascertain whether candidates, political com-
 13 mittees, or others have failed to file statements as re-
 14 quired by this Act or have filed defective statements;

15 “(3) to report violations of this Act to the appro-
 16 priate law-enforcing agencies of the Government and to
 17 review such reports at regular intervals to ascertain the
 18 action taken by those agencies. Any department,
 19 official, or agency administering the provisions of this
 20 Act shall, at the request of any such committee, consult
 21 with the committee, from time to time, with respect to
 22 their activities under this Act;

23 “(4) to take such other action as shall be necessary
 24 and proper to supervise the administration of this Act;
 25 and

“(b) to report to the Senate or the House of Representatives respectively, from time to time, on their activities under this Act.

“(c) (1) It shall be the duty of the Clerk of the House of Representatives and the Secretary of the Senate (A) to develop uniform methods and forms for the making of reports required under this title; (B) to provide for making the statements filed under this title available for public inspection; (C) to ascertain, when practicable, whether candidates, political committees, or others have failed to file statements or have filed defective statements and to give notice to delinquents directing them to file such statements or to correct defective statements; (D) to provide for the preparation and periodic publication of compilations containing summaries indicating the total contributions and expenditures and the total for each category of expenditure in each statement filed with the Clerk of the House of Representatives or the Secretary of the Senate, and the name and address of, and the amount contributed by, each contributor shown by any such statement to have contributed the sum of \$500 or more.

“(2) The Secretary of the Senate shall transmit the summaries prepared by him under this section, and the notices of delinquency dispatched by him to delinquent

1 candidates, committees or others, to the appropriate com-
 2 mittees of the Senate.

3 “(3) The Clerk of the House of Representatives shall
 4 transmit the summaries prepared by him under this section,
 5 and the notices of delinquency dispatched by him to de-
 6 linquent candidates, committees or others, to the appropriate
 7 committees of the House of Representatives.”

8 SMC. 110. So much of section 891 of title 18 of the
 9 United States Code as defines the terms “candidate”, “polit-
 10 ical committee”, “contribution”, and “expenditure” is
 11 amended to read as follows:

12 “The term ‘candidate’ means an individual whose name
 13 is presented at an election for President or Vice President,
 14 or Senator or Representative in, or Delegate or Resident
 15 Commissioner to, the Congress of the United States, whether
 or not such individual is elected;

“The term ‘political committee’ includes any committee,
 association, or organization which accepts contributions or
 expenditures in an aggregate amount exceeding
 in any calendar year for the purpose of influencing or
 attempting to influence in any manner whatsoever the elec-
 tion of candidates or presidential or vice presidential
 -3 electors;

“The term ‘contribution’ includes a gift, subscription,

1 loan, subvention, advance, or deposit, of money, or any-
 2 thing of value, and includes a contract, promise, or agree-
 3 ment, whether or not legally enforceable, to make a con-
 4 tribution;

5 "The term 'expenditure' includes a payment, distribu-
 6 tion, loan, subvention, advance, deposit, or gift, of money
 7 or anything of value, and includes a contract, promise, or
 8 agreement, whether or not legally enforceable, to make an
 9 expenditure;"

10 "Sec. 111. The second paragraph of section 608 (a) of
 11 title 18 of the United States Code is amended to read as
 12 follows: "This subsection shall not apply to contributions
 13 made by a political committee."

14 "Sec. 112. The first paragraph of section 609 of title 18
 15 of the United States Code is amended to read as follows:
 16 "No political committee shall receive contributions or make
 17 expenditures during any calendar year in amounts greater
 18 than the amount obtained by multiplying 20 cents by the
 19 total number of voters casting votes for candidates for the
 20 office of presidential elector in any one of the last three
 21 elections for that office."

22 TITLE II—INCOME TAX DEDUCTION FOR POLITI- 23 CAL CONTRIBUTIONS

24 "Sec. 201. (a) Part VII of subchapter B of chapter I
 25 of the Internal Revenue Code of 1954 (relating to additional

1 itemized deductions for individuals) is amended by renumber-
 2 ing section 217 as 218, and by inserting after section 216
 3 the following new section:

4 "SEC. 217. CONTRIBUTIONS TO CANDIDATES FOR ELEC-
 5 TIVE FEDERAL OFFICE.

6 "(a) ALLOWANCE OF DEDUCTION.—In the case of an
 7 individual, there shall be allowed as a deduction any political
 8 contribution (as defined in subsection (c)) payment of
 9 which is made within the taxable year. A political con-
 10 tribution shall be allowable as a deduction only if verified
 11 under regulations prescribed by the Secretary or his dele-
 12 gate.

13 "(b) LIMITATION.—The deduction under subsection
 14 (a) shall not exceed \$100 for any taxable year.

15 "(c) DEFINITION OF POLITICAL CONTRIBUTION.—For
 16 purposes of this section, the term 'political contribution' means
 17 a contribution or gift to—

18 "(1) an individual whose name is presented for
 19 election as President of the United States, Vice Presi-
 20 dent of the United States, an elector for President or
 21 Vice President of the United States, a Member of the
 22 Senate, or a Member of the House of Representatives
 23 (including a Delegate to the House of Representatives)
 24 in a general or special election, in a primary election,
 25 or in a convention of a political party, for use by such

1 individual to further his candidacy for any such office;

2 or

3 “(2) a committee acting in behalf of an individual
4 described in paragraph (1), for use by such committee
5 to further the candidacy of such individual.”

6 (b) The table of sections to part VII of subchapter B
7 of chapter 1 of the Internal Revenue Code of 1954 is
8 amended by striking out

“Sec. 217. Cross References.”

9 and inserting in lieu thereof

“Sec. 217. Contributions to candidates for elective Federal
office.”

“Sec. 218. Cross References.”

10 SEC. 202. The amendments made by this Act shall
11 apply only to taxable years ending on or after the date of
12 the enactment of this Act, but only with respect to con-
13 tributions or gifts made on or after such date.

14 TITLE III—POLITICAL BROADCASTS

15 SEC. 301. Section 315 of the Communications Act of
16 1934 (47 U. S. C. 315) is amended to read as follows:

17 “Sec. 315. (a) If any licensee shall permit any person
18 who is a legally qualified and nominated candidate for the
19 office of President or Vice President of the United States to
20 use a broadcasting station, he shall afford equal opportunity
21 in the use of such broadcasting station to every other such
22 candidate for such office—

1 “(1) who is the nominee of a political party whose
2 candidate for that office in the preceding presidential
3 election was supported by not fewer than 4 per centum
4 of the total popular votes cast; or (2)”

5 “(2) whose candidacy is supported by petitions
6 filed under the laws of the several States which in the
7 aggregate bear a number of signatures equal to at least
8 1 per centum of the total popular votes cast in the pre-
9 ceding presidential election and which signatures are
10 valid under the laws of the States in which they are
11 filed.

12 “(b) If any licensee shall permit any person who is a
13 legally qualified candidate for any other public office to use
14 a broadcasting station, he shall afford equal opportunities to
15 all other such candidates for that office in the use of such
16 broadcasting station.

17 “(c) No licensee shall have any power of censorship
18 over the material broadcast under the provisions of subsec-
19 tion (a) or subsection (b). No obligation is hereby im-
20 posed upon any licensee to allow the use of its station by any
21 such candidate.

22 “(d) The charges made for the use of any broadcasting
23 station for any of the purposes set forth in this section shall
24 not exceed the charges made for comparable use of such
25 station for other purposes.

1 "(c) The Commission shall—
2 "(1) prescribe appropriate rules and regulations to
3 carry out the provisions of this section, and

4 "(2) determine, and upon request of any licensee
5 notify such licensee concerning, the eligibility of each
6 candidate for the office of President or Vice President of
7 the United States to receive equal opportunity under
8 subsection (a) in the use of any broadcasting station."

9 "(d) If any licensee shall permit any person who is a
10 legally qualified candidate for any office in the
11 United States to receive equal opportunity in the use of such
12 broadcasting station for that office in the use of such

13 broadcasting station,
14 "(e) No licensee shall have any power of censorship
15 over the material broadcast under the provisions of subsec-
16 tion (a) or subsection (b). No obligation is hereby im-
17 posed upon any licensee to allow the use of its station by any

18 such candidate.
19 "(f) The charges made for the use of any broadcasting
20 station for any of the purposes set forth in this section shall
21 not exceed the charges made for comparable use of such

22 station for other purposes.

84TH CONGRESS
2D SESSION
S. 3308

A BILL

To revise the Federal election laws, to prevent corrupt practices in Federal elections, to permit deductions for Federal income tax purposes of certain political contributions, and for other purposes.

[illegible]

FEBRUARY 28, 1976

Read twice and referred to the Committee on Rules and Administration

ADMINISTRATIVE FILE

Federal Elections Act of 1956
X Corrupt Practices Act of 1925
X Legislation - H. R. 10043

1 Resident Commissioner to the Congress of the United States
2 whether or not such individual is elected."
3 (b) Section 302 (c) of such Act is amended to read as
4 follows:

84th CONGRESS
2d Session

H. R. 10043

5 " (c) (1) Any individual who receives or attempts to receive
6 money, securities, or other valuable consideration from any
7 person or persons in connection with his election to or service
8 in the United States Congress, or in any State or Territory,
9 or in the District of Columbia, or in any other political
10 subdivision of the United States, shall be fined not more
11 than \$5,000 or imprisoned not more than five years, or both,
12 according to the provisions of the Federal Sentencing
13 Guidelines, except that the maximum term of imprisonment shall
14 not exceed the term of the sentence imposed on the individual
15 for the offense of which the individual is convicted under this
16 section, and the maximum fine shall not exceed the maximum
17 fine provided for the offense of which the individual is convicted
18 under this section.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 1956

Mr. RANKIN introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Corrupt Practices Act of 1925.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 That this Act may be cited as the "Federal Elections Act
4 of 1956".

TITLE I—CORRUPT PRACTICES

6 SEC. 101. (a) Section 302 (b) of the Federal Corrupt
7 Practices Act, 1925, is amended to read as follows:

8 "(b) The term 'candidate' means an individual whose
9 name is presented at an election for President or Vice Presi-
10 dent, or Senator or Representative in, or Delegate or

1 Resident Commissioner to, the Congress of the United States,
2 whether or not such individual is elected."

3 (b) Section 302 (c) of such Act is amended to read as
4 follows:

5 "(c) The term 'political committee' includes any com-
6 mittee, association, or organization which accepts contribu-
7 tions or makes expenditures in an aggregate amount
8 exceeding \$100 in any calendar year for the purpose of
9 influencing or attempting to influence in any manner what-
10 soever the election of candidates or Presidential or Vice
11 Presidential electors."

12 (c) Section 302 (d) of such Act is amended to read
13 as follows:

14 "(d) The term 'contribution' includes a gift, subscrip-
15 tion, loan, subvention, advance, or deposit of money or
16 anything of value, and includes a contract, promise, or
17 agreement, whether or not legally enforceable, to make a
18 contribution."

19 (d) Section 302 (e) of such Act is amended to read
20 as follows:

21 "(e) The term 'expenditure' includes a payment, dis-
22 tribution, loan, subvention, advance, deposit, or gift, of
23 money or anything of value, and includes a contract, promise,
24 or agreement, whether or not legally enforceable, to make an
25 expenditure."

1 SEC. 102. Section 303 (c) of such Act (relating to
2 keeping of receipted bills for expenditures by political com-
3 mittees) is amended by striking out "\$10" and inserting in
4 lieu thereof "\$100".

5 SEC. 103. Section 303 of such Act is further amended
6 by adding at the end thereof the following new subsection:

7 "(d) (1) No contribution shall be accepted and no ex-
8 penditure made, by or on behalf of a political committee
9 (other than a political committee which is a branch, subsid-
10 iary, or affiliate of a political party legally existent under the
11 laws of the State within which it is located) until the candi-
12 date (or a representative designated by him in writing) has
13 authorized in writing the political committee to support his
14 candidacy and has filed a copy of such authorization with the
15 Clerk of the House of Representatives.

16 "(2) Upon the filing by a candidate of a withdrawal
17 of authorization with the Clerk of the House of Repre-
18 sentatives (and, in the case of candidates for President, Vice
19 President, or Senator, with the Secretary of the Senate),
20 and upon the receipt of notice of withdrawal of authorization
21 by the treasurer of a political committee, the political com-
22 mittee shall be prohibited from receiving further contribu-
23 tions or making further expenditures on behalf of the candi-
24 date unless a new authorization is filed."

25 SEC. 104. Section 305 of such Act (relating to state-

ments to be filed by political committee) is amended to read
as follows:

"Sec. 305. (a) The treasurer of a political committee
shall file with the Clerk of the House of Representatives, on
a form to be prescribed by him, between the first and fifth
days of July in each year, and also on the fifth day next
preceding the date on which an election is to be held, with
respect to which contributions were received or expenditures
made by such committee, and also on the fifth day of Janu-
ary, a statement containing, complete as of the fifth day next
preceding the date of filing—

"(1) the name and address of each person who has
made a contribution to or for such committee in one or
more items of the aggregate amount or value, within the
calendar year, of \$100 or more, together with the
amount and date of such contribution, and the names
of the contributors shall be arranged alphabetically
within each category, according to the amount of con-
tribution as follows: \$100 to \$499; \$500 to \$999; and
\$1,000 and over;

"(2) the total sum of the contributions made to or
for such committee during the calendar year and not
stated under paragraph (1);

1 “(3) the total sum of all contributions made to or
2 for such committee during the calendar year;

3 “(4) the name and address of each person to whom
4 an expenditure in one or more items of the aggregate
5 amount or value, within the calendar year, of \$100 or
6 more has been made by such committee, and the amount,
7 date, and purpose of such expenditure;

8 “(5) the total sum of all expenditures made by
9 such committee during the calendar year and not stated
10 under paragraph (4); and

11 “(6) the total sum of expenditures made by such
12 committee during the calendar year.

13 “(b) (1) Each item of expenditure shall be described
14 in sufficient detail to accurately identify it, including, in the
15 case of printed cards, pamphlets, circulars, posters, dodgers,
16 booklets, or other such advertisements, writings, or other
17 statements (such as reprints from periodicals, books, news-
18 papers, or other publications), the title and number of each;
19 in the case of newspaper advertisements, the names of the
20 newspapers; and in the case of radio and television time,
21 the names of the stations. In the case of political commit-
22 tees supporting more than one candidate (including State
23 and local candidates), the amount of the total expenditures

1 allocable to each candidate shall be in the same ratio as
2 specific expenditures on behalf of each candidate (including
3 State and local candidates) for printing and advertising,
4 radio time, and television time bears to the total of such
5 expenditures.

6 "(2) Each expenditure shall also be described by gen-
7 eral category, including (i) personal services and reimbursed
8 expenses (salaries, commissions, fees, traveling, and sub-
9 sistence), (ii) printing and advertising other than radio and
10 television, (iii) radio, (iv) television, (v) office overhead,
11 (vi) subvention or transfer to other political committee or
12 candidate, (vii) miscellaneous, and the total expenditure
13 for each such category shall be listed.

14 "(c) The statements required to be filed by subdivision
15 (a) shall be cumulative during the calendar year to which
16 they relate, but where there has been no change in an
17 item reported in a previous statement only the amount need
18 be carried forward.

19 "(d) The statement filed on the fifth day of January
20 shall cover the preceding calendar year.

21 "(e) In the case of political committees supporting
22 candidate for President, Vice President, or Senator, a copy
23 of the statement filed with the Clerk of the House of Repre-
24 sentatives under subsection (a) shall be filed with the
25 Secretary of the Senate."

SEC. 105. Section 306 of such Act (relating to state-
ments to be filed by persons other than political committees)
is amended to read as follows:

"SEC. 306. (a) Every person (other than a political
committee) who makes an expenditure in one or more items
aggregating \$100 or more within a calendar year, other
than by contribution to a political committee, for the purpose
of influencing the election of candidates, shall file with the
Clerk of the House of Representatives an itemized detailed
statement of each expenditure in the same manner as re-
quired of the treasurer of a political committee by section
305, and in the case of any expenditure in support of a
candidate for President, Vice President, or Senator shall
file a copy of the statement with the Secretary of the
Senate.

(b) Every individual who makes contributions and/or
expenditures in one or more items aggregating more than
\$5,000 within a calendar year for the purpose of influencing
the election of candidates in any and all Federal elections,
shall file a consolidated statement showing all such contribu-
tions and/or expenditures, described in sufficient detail to
accurately identify them, including the amount of each item,
the date when made, and the name and address of the person
to whom made."

SEC. 106. Section 307 of such Act (relating to state-

1 ments to be filed by candidates) is amended to read as
2 follows:

3 "Sec. 307. (a) Every candidate shall file with the Clerk
4 of the House of Representatives on the fifth day before, and
5 also within 30 days after the date on which an election is to
6 be held—

7 " (1) a correct and itemized detailed statement of
8 contribution received by him and expenditures made by
9 him in aid or support of his candidacy for election, or for
10 the purpose of influencing the result of the election, in
11 the same manner as required of the treasurer of a politi-
12 cal committee by section 305, including, in the case of
13 contributions, amounts expended from his own funds;
14 and

15 " (2) a statement of every promise or pledge made
16 by him or by any person for him with his consent, prior
17 to the closing of the polls on the day of the election, rela-
18 tive to the appointment or recommendation for appoint-
19 ment of any person to any public or private position or
20 employment for the purpose of procuring support in his
21 candidacy, and the name, address, and occupation of
22 every person to whom any such promise or pledge has
23 been made, together with the description of any such

1 position. If no such promise or pledge has been made,
2 that fact shall be specifically stated.

3 " (b) The statements required to be filed by subdivision
4 (a) (1) shall be cumulative, but where there has been no
5 change in an item reported in a previous statement only the
6 amount need be carried forward. The statement to be filed
7 on the fifth day preceding an election shall be complete as of
8 the fifth day next preceding the date of filing, and the state-
9 ment to be filed within thirty days after an election shall be a
10 final and complete statement.

11 . " (c) Every candidate shall enclose with his first state-
12 ment a report, based upon the records of the proper State
13 official, stating the total number of votes cast at the election
14 required to be used as a basis for the computation under
15 section 309 (h) (2) or (3).

16 " (d) For the purpose of further informing the Congress
17 and public, every candidate for nomination or election to the
18 Senate or the House of Representatives shall file with the
19 Secretary of the Senate or Clerk of the House, respectively,
20 within thirty days following an election, a certified true copy
21 of any statement or statements of campaign contributions and
22 expenditures required to be filed by him in his State by the

1 laws thereof, and the Committee on Rules and Administration
 2 of the Senate and the Committee on House Administration
 3 of the House of Representatives, respectively, shall deter-
 4 mine only that such statements are in fact true copies of the
 5 reports filed in the particular States.

6 “(e) In the case of a candidate for Senator, a copy of
 7 the statement filed with the Clerk of the House of Repre-
 8 sentatives under subsection (a) shall be filed with the Secre-
 9 tary of the Senate.”

10 SEC. 107. Section 308 of such Act is amended by add-
 11 ing at the end thereof the following new paragraph:

12 “A copy of every statement required to be filed under
 13 the provisions of this title (except statements filed under
 14 section 307 (d)) shall also be filed with the clerk of the
 15 United States district court in the district in which the prin-
 16 cipal office of the political committee is located, in the case
 17 of statements by political committees; in the district in which
 18 the candidate resides, in the case of statements by candidates;
 19 and in the district in which contributions are received and
 20 expenditures made, in the case of statements by others.”

21 SEC. 108. (a) Subsection (b) of section 309 of such
 22 Act (relating to limitations on amount of expenditures by
 23 candidates) is amended to read as follows:

24 “(b) Unless the laws of his State prescribe a less amount
 25 as the maximum limit of campaign expenditures, a candi-

1 date, in his campaign for reelection, may make expenditures
2 up to—

3 "(1) the sum of \$75,000 if a candidate for Senator
4 or Representative at Large, or the sum of \$15,000 if a
5 candidate for Representative, Delegate, or Resident
6 Commissioner; or

7 "(2) in the case of candidates for Senator or Rep-
8 resentative at Large, an amount equal to the amount
9 obtained by multiplying 20 cents by the total number
10 of votes cast in any election held in the State in the
11 preceding four years; or

12 "(3) in the case of candidates for Representative,
13 Delegate, or Resident Commissioner, an amount equal
14 to the amount obtained by multiplying 20 cents by the
15 total number of votes cast in any election held in the
16 State in the preceding four years for all candidates for
17 the office which the candidate seeks.

18 "(b) Section 307 of such Act is further amended by
19 adding at the end thereof the following new subsection:

20 "(d) For the purposes of the limitation prescribed in
21 subsection (b) there shall be included in the total of ex-
22 penditures made by a candidate the expenditures made on
23 behalf of the candidate by all committees except those not
24 authorized to support his candidacy. In the case of political
25 committees supporting more than one candidate (including

1 State and local candidates), the amount of the total expendi-
 2 tures allocable to each candidate shall be in the same ratio
 3 as specific expenditures on behalf of each candidate (includ-
 4 ing State and local candidates) for printing and advertising,
 5 radio time, and television time bears to the total of such
 6 expenditures."

7 Sec. 109. Section 314 of such Act is amended by
 8 adding at the end thereof the following new subsections:

9 "(c) Any candidate who knowingly consents to any
 10 violation of this title by an authorized political committee
 11 shall be fined not more than \$10,000 and imprisoned not
 12 more than two years."

13 "(d) To assist the Congress in appraising the admin-
 14 istration of this Act and in developing such amendments or
 15 legislation related thereto as it may deem necessary, the
 16 appropriate committees of the Senate, in the case of candi-
 17 dates for President, Vice President, or Senator, as well as
 18 in the case of political committees supporting candidates for
 19 election to such offices, and the appropriate committees of
 20 the House of Representatives, in the case of candidates for
 21 Representative, Delegate, or Resident Commissioner, as well
 22 as in the case of political committees supporting candidates
 23 for election to such offices, shall exercise continuous watch-
 24 fulness of the administration of this Act by the agencies
 25 concerned. It shall be the duty of these committees—

1 “(1) to study all pertinent reports filed under the
2 provisions of this Act and such other materials as may
3 be necessary;

4 “(2) to ascertain whether candidates, political com-
5 mittees, or others have failed to file statements as
6 required by this Act or have filed defective statements.

7 “(3) to report violations of this Act to the appro-
8 priate law-enforcing agencies of the Government and to
9 review such reports at regular intervals to ascertain the
10 action taken by those agencies. Any department, offi-
11 cial or agency administering the provisions of this
12 Act shall, at the request of any such committee, consult
13 with the committee, from time to time, with respect to
14 their activities under this Act.

15 “(4) to take such other action as shall be necessary
16 and proper to supervise the administration of this Act;
17 and

18 “(5) to report to the Senate or the House of Rep-
19 resentatives respectively, from time to time, on their ac-
20 tivities under this Act.

21 “(e) (1) It shall be the duty of the Clerk of the House
22 of Representatives and the Secretary of the Senate (A) to
23 develop uniform methods and forms for the making of re-
24 ports required under this title, (B) to provide for making
25 the statements filed under this title available for public in-
26 spection; (C) to ascertain, when practicable, whether candi-

1 dates, political committees, or others have failed to file state-
2 ments or have filed defective statements and to give notice
3 to delinquents directing them to file such statements or to
4 correct defective statements; (D) to provide for the prepa-
5 ration and periodic publication of compilations containing
6 summaries indicating the total contributions and expendi-
7 tures and the total for each category of expenditures in each
8 statement filed with the Clerk of the House of Representa-
9 tives or the Secretary of the Senate, and the name and ad-
10 dress of, and the amount contributed by, each contributor
11 shown by any such statement to have contributed the sum of
12 \$500 or more.

13 “(2) The Secretary of the Senate shall transmit the
14 summaries prepared by him under this section, and the
15 notices of delinquency dispatched by him to delinquent can-
16 didates, committees, or others, to the appropriate committees
17 of the Senate.

18 “(3) The Clerk of the House of Representatives shall
19 transmit the summaries prepared by him under this section,
20 and the notices of delinquency dispatched by him to de-
21 linquent candidates, committees, or others, to the appropriate
22 committees of the House of Representatives.”

23 Sec. 110. So much of section 591 of title 18 of the

1 United States Code as defines the terms "candidate," "politi-
2 cal committee," "contribution," and "expenditure" is
3 amended to read as follows:

4 "The term 'candidate' means an individual whose name
5 is presented at an election for President or Vice President,
6 or Senator or Representative in, or Delegate or Resident
7 Commissioner to, the Congress of the United States, whether
8 or not such individual is elected;

9 "The term 'political committee' includes any committee,
10 association, or organization which accepts contributions or
11 makes expenditures in an aggregate amount exceeding \$100
12 in any calendar year for the purpose of influencing or attempt-
13 ing to influence in any manner whatsoever the election of
14 candidate or Presidential or Vice Presidential electors;

15 "The term 'contribution' includes a gift, subscription,
16 loan, subvention, advance, or deposit, of money, or anything
17 of value, and includes a contract, promise, or agreement,
18 whether or not legally enforceable, to make a contribution;

19 "The term 'expenditure' includes a payment, distribu-
20 tion, loan, subvention, advance, deposit, or gift, of money
21 or anything of value, and includes a contract, promise, or
22 agreement, whether or not legally enforceable, to make an
23 expenditure;"

1 Sec. 111. The second paragraph of section 608 (a) of
 2 title 18 of the United States Code is amended to read as
 3 follows:

4 "This subsection shall not apply to contributions made by
 5 a political committee."

6 Sec. 112. The first paragraph of section 609 of title 18
 7 of the United States Code is amended to read as follows:

8 "No political committee shall receive contributions or
 9 make expenditures during any calendar year in amounts
 10 greater than the amount obtained by multiplying 20 cents
 11 by the total number of votes cast for all candidates for the
 12 office of Presidential elector in any one of the last three elec-
 13 tions for that office."

14 candidate or Presidential or Vice Presidential electors;
 15 "The term 'contribution' includes a gift, subscription,
 16 loan, subvention, advance, or deposit of money, or anything
 17 of value, and includes a contract, promise, or agreement,
 18 whether or not legally enforceable, to make a contribution;
 19 "The term 'expenditure' includes a payment, distribu-
 20 tion, loan, subvention, advance, deposit, or gift of money
 21 or anything of value, and includes a contract, promise, or
 22 agreement, whether or not legally enforceable, to make an
 23 expenditure;"

84TH CONGRESS
2d Session

H. R. 10043

A BILL

To amend the Corrupt Practices Act of 1925.

By Mr. REUSS

MARCH 19, 1966
Referred to the Committee on House Administration

✓ D:\RATIVE_EP

^{ESS}
~~Mr. Kuzin~~ **H. R. 12091**

IN THE HOUSE OF REPRESENTATIVES

JULY 3, 1956

**Mr. Kuzin introduced the following bill; which was referred to the Com-
on Education and Labor**

A BILL

**To amend the Federal Employees' Compensation Act to provide
that an employee who has received compensation for total
disability continuously for twenty years shall thereafter be
paid compensation for total disability for the remainder
of his life.**

**1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America***

3 That section 3 of the Federal Employees' Compensation
4 Act, as amended (5 U. S. C. 753), is amended by adding
5 at the end thereof the following new subsection:

6 “(c) A disabled employee who has been paid com-
7 pensation for his total disability continuously for a period
8 of twenty years pursuant to this Act shall for the purposes

LEGISLATIVE FILE
Federal Employees' Compensation Act
11041 R.H. 12091

1 of this Act be deemed to be totally disabled thereafter for
2 the remainder of his life except on a showing that pay-
3 ment of such compensation pursuant to this Act during any
4 part of such twenty-year period was induced by fraud."

IN THE HOUSE OF REPRESENTATIVES

Mr. KENNEDY. Mr. Speaker, I have the honor to announce that the bill, H. R. 12091, which was referred to the Committee on Education and Labor, has been reported back to the House.

A BILL

86th CONGRESS, 1st Session
H. R. 12091

To amend the Federal Employees' Compensation Act to provide that an employee who has received compensation for total disability for twenty years shall thereafter be paid compensation for total disability for the remainder of his life.

By Mr. KENNEDY.

June 1, 1941

Referred to the Committee on Education and Labor

That section 3 of the Federal Employees' Compensation Act, as amended (5 U. S. C. 753), is amended by adding at the end thereof the following new subsection:

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 That section 3 of the Federal Employees' Compensation
4 Act, as amended (5 U. S. C. 753), is amended by adding
5 at the end thereof the following new subsection:
6 "(c) A disabled employee who has been paid com-
7 pensation for his total disability continuously for a period
8 of twenty years pursuant to this Act shall for the purposes

ADMINISTRATIVE FILE

Federal Employees
Veterans Association, Inc.
X

August 29, 1958

Mr. Kenneth T. Lyons
National Commander
Federal Employees Veterans Association, Inc.
10 Tremont Street
Boston, Massachusetts

Dear Mr. Lyons:

With respect to your communication of August 27, 1958,
please be advised that I know of no instance where
extra pay is being received for hazardous hauling.

Very truly yours,

James R. Hoffa
General President

JRH/alb
JK

Reply to
NATIONAL SERVICE OFFICE
10 Tremont Street
Boston, Massachusetts



Posts and Members in — Navy Yards — Post Offices — Internal Revenue — Coast Guard — Arsenals — Army Bases — Air Force
Research and Development — Marine Corps — General Services — Army Hospitals — Supply Corps — Naval Air Stations
Veterans Administration — Federal Housing Administration — Procurement — And Other Federal Agencies

August 27, 1958

Mr. James P. Hoffa
Boston International Teamsters Union
Washington, D. C.

Dear Mr. Hoffa:

The enclosures I received from Congressman Wigglesworth and the Department of the Navy, concerning a question I raised for Government truck drivers that haul ammunition for the Department of the United States Navy.

The Navy Department states that they cannot pay Government truck drivers "hazardous pay" due to the fact that private industry truck drivers do not receive extra compensation for handling explosives.

I would appreciate it if you would look into this matter for me, and let me know whether or not union truck drivers do receive additional compensation for handling explosives.

Your cooperation in this regard would be most appreciated. With kind personal regards, I am

Very sincerely yours,

Kenneth T. Lyons
National Commander

No Extra pay
KTL:efs
Encls.
for Hoffa

POSTS FROM MAINE TO CALIFORNIA
THE F.E.U.A. PRESS

**Congress of the United States
House of Representatives
Washington, D. C.**

August 21, 1958.

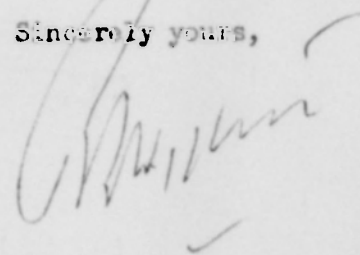
Mr. Kenneth T. Lyons,
National Commander,
National Federal Employees Veterans Ass'n, Inc.
204 Edenfield Avenue,
Watertown, Massachusetts.

Dear Ken:

With further reference to your recent letter concerning the payment of hazardous pay to truck drivers engaged in transporting explosives at the Naval Ammunition Depot, Hingham, Massachusetts, I am enclosing herewith copy of a letter just received from the Chief, Bureau of Ordnance which is, I believe, self explanatory.

With kindest regards, believe me

Sincerely yours,





DEPARTMENT OF THE NAVY
BUREAU OF ORDNANCE
WASHINGTON 25, D. C.

IN REPLY REFER TO

20 AUG 1958

My dear Mr. Wigglesworth:

This is in reply to your letter of August 6, 1958, enclosing a copy of a letter addressed to you by Mr. Kenneth T. Lyons, National Commander of the National Federal Employees Veterans Association, Inc., Watertown, Massachusetts, concerning the payment of hazardous pay to truck drivers engaged in transporting explosives at the Naval Ammunition Depot, Hingham.

A decision has been made by the Office of Industrial Relations, Department of the Navy, that truck drivers employed by the Navy, who are engaged in transporting explosives, are not entitled to hazardous pay. This decision was made following an extensive study of practices in private industry, since it is the policy of the Navy Department to follow industrial practices in the payment of extra rates for work of this type. The study indicated that the payment of extra pay to truck drivers for transporting explosives was not prevalent in private industry.

Please be assured that every precaution is being taken by the Navy Department to minimize the danger involved in transporting explosives. This danger is greatly reduced when articles are properly packaged and stored in accordance with regulations of the Interstate Commerce Commission, and all Navy activities are required to comply with these regulations.

Your interest in this matter is very much appreciated and it is hoped that the information furnished herein will be of assistance to you.

Sincerely yours,

PAUL D. STROOP
Rear Admiral, U. S. Navy
Chief, Bureau of Ordnance

Honorable Richard B. Wigglesworth
House of Representatives
Washington, D. C.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

EXECUTIVE COUNCIL
GEORGE MEANY PRESIDENT
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815 SIXTEENTH STREET, N.W.
 WASHINGTON 6 D.C. NATIONAL 8-3870

Arch Mamm

ADMINISTRATIVE FILE ✓
 June 29, 1956
 Federal Equal Pay Bill
 - X Legislation - HR 6503
 - X Legislation - S 2708

Mr. Dave Beck, President
 International Brotherhood of Teamsters, Chauffeurs,
 Warehousemen and Helpers of America
 25 Louisiana Avenue, N. W.
 Washington 1, D. C.

Dear Sir and Brother:

I think you will be interested in the action taken by the AFL-CIO Executive Council last week in support of federal legislation to provide equal pay for comparable work for women.

You will note in the attached summary that we support the Green-Rogers-Douglas Bill with an amendment so that reliance would be primarily on administrative rather than judicial enforcement.

We believe this legislation will supplement the substantial gains already made by unions through collective bargaining. As the AFL-CIO Convention Resolution on Women Workers states: "The achievement of equal pay for comparable work has long been a fundamental objective of organized labor."

Fraternally, yours,

WM. F. Schnitzler
 Secretary-Treasurer

Enclosure

A Summary of the AFL-CIO Position in Support
of Federal Equal Pay Legislation

At its June meeting in Washington, D. C., the AFL-CIO Executive Council endorsed Federal legislation to provide equal pay for comparable work for women workers.

It supported the principles of the Green-Rogers-Douglas Bill (H.R. 6503, S.2708) with an amendment so that reliance would be primarily on administrative rather than judicial enforcement.

The achievement of equal pay for comparable work for women has long been an objective of organized labor and many women's organizations.

The recent AFL-CIO action is directed toward achieving a Federal law that will provide effective and flexible machinery in this field.

The Council approved the key section of the Green-Rogers-Douglas Bill which reads as follows:

"No employer engaged in commerce or in operations affecting commerce shall discriminate between employees on the basis of sex by paying wages to any employee at a rate less than the rate at which he pays wages to employees of the opposite sex for work of comparable character on jobs the performance of which requires comparable skills, except where such payment is made pursuant to a seniority or merit increase system which does not discriminate on the basis of sex."

The AFL-CIO Convention in December in its Resolution on Women Workers recommended that the officers study the bill "with a view to taking whatever action seems appropriate." Secretary-Treasurer Schnitzler was chairman of a staff committee which reviewed existing state laws and proposals for Federal equal pay legislation.

The proposed amendment on administrative procedure follows the pattern of a bill pending in the New York State Legislature (Assembly No. 958, Int. 943), sponsored by the New York State Federation of Labor, which empowers an Administrator not only to investigate but also to attempt to adjust controversies with respect to the claims. If this fails, he is empowered on due notice to hold hearings, to make findings, and to direct the employer to pay the employee the difference between the amount of remuneration paid the employee at the unequal rate and the amount which would have been paid if there had been no such inequality, plus liquidated damages. If necessary, either the employee or the Administrator may institute a civil action to recover the amount found due by the Administrator.

It was felt that this type of arrangement would provide more constructive administration and greater flexibility than relying primarily on direct civil suits. Provision for hearings and consultation would enhance the educational effects of the law and promote voluntary compliance. Many grievances could be adjusted out of court, but if necessary the law would provide genuine enforcement machinery. Judicial review would provide ample protection to all involved.

Enforcement of equal pay for classifications above a minimum wage involves complicated determinations of wage relationships which are not ordinarily dealt with by local courts. The administrative approach would place the responsibility for such complex findings in the hands of trained administrators.

June 18, 1956

ADMINISTRATIVE FILE
Seaney, Joseph J.

October 24, 1980

The Honorable Joseph F. Feeney
114 State Street
Boston, Massachusetts 02109

is a copy of the Georgetown Law
on the Leadership

ADMINISTRATIVE FILE
Seaney, Joseph J.

LOU R. BOBBE
Recording Secretary

MICHAEL J. DUNN
Vice-President

INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN and HELPERS of AMERICA

W. EDWARD THOMPSON
President

CONSTITUTION AVENUE, N.W.

ADMINISTRATIVE FILE
Federal Equal Pay Act
X 100-100000-111111
X

STONY BROOK
NY 11790

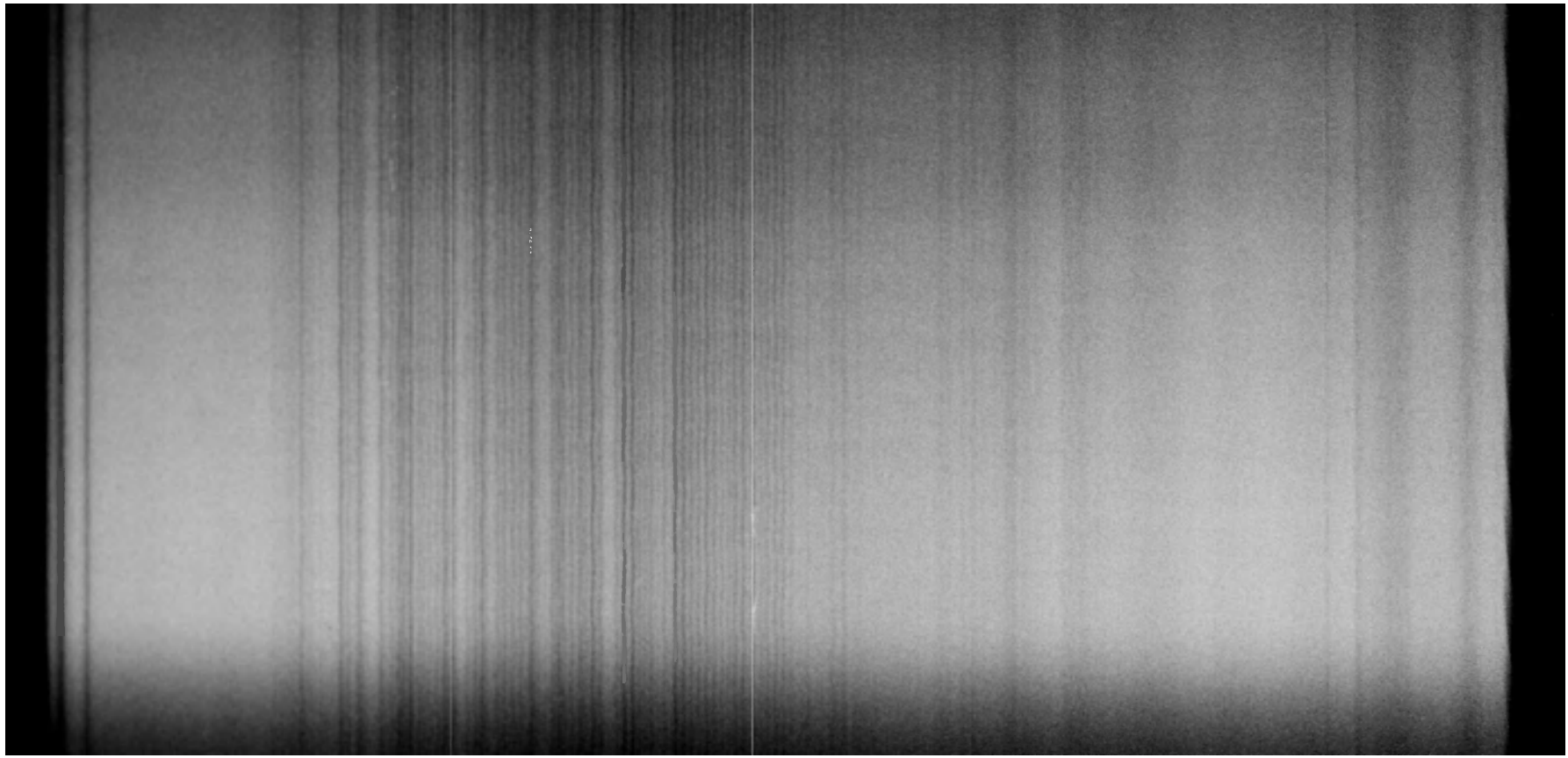
H. R. 10536

IN THE HOUSE OF REPRESENTATIVES

Mr. ROSEN of Arizona introduced the following bill, which was referred to the Committee on Education and Labor

A BILL

To prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce, and to provide procedures for assisting employees in collecting wages lost by reason of any such discrimination.



ADMINISTRATIVE FILE

Feldman, Donald P.

Donald P. ^xFeldman

wishes to announce that he is now engaged
in the General Practice of Law
with offices at
29 Pearl Street
Worcester, Massachusetts

Measont 4-2201

ADMINISTRATIVE FILE

Seaney, Joseph F.

October 24, 1980

The Honorable Joseph F. Seaney
114 State Street
Boston, Massachusetts

Dear Joe:

Enclosed is a copy of the Georgetown Law
Journal Symposium on the Landrum Griffia Law.

Best wishes.

Sincerely,

FJB:kr

Florina J. Bartosic
House Counsel

Enclosure

W. EDWARD THOMPSON
President

MICHAEL J. DUNN
Vice-President

LOUIS B. BODER
Recording Secretary

INTERNATIONAL BROTHERHOOD of TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN and HELPERS of AMERICA



Address All Checks to
STEPHEN B. McCANN, Secretary-Treasurer

DAIRY AND BAKERY SALESMEN AND DAIRY EMPLOYEES

LOCAL UNION No. 316

AFFILIATED WITH AMERICAN FEDERATION OF LABOR
EXECUTIVE OFFICE

PHONE 3-8849
309 SOUTH FRANKLIN STREET

SYRACUSE 2, N. Y.

ADMINISTRATIVE FILE

Feek, John H.
X 2 316

W. EDWARD THOMPSON, Business Representative
TERRENCE A. CREIGHTON, Business Representative

NOVEMBER 10, 1954

MR. THOMAS L. HICKEY, VICE-PRES.
INT. BRO. OF TEAMSTERS
325 SPRING STREET
NEW YORK 13, NEW YORK

RE: LOCAL UNION 316
JOHN H. FECK

DEAR SIR AND BROTHER:

ENCLOSED FIND PHOTOSTATIC COPY OF LETTER RECEIVED BY YOU FROM MR. FECK, PER YOUR REQUEST OF NOVEMBER 4TH. PLEASE ACCEPT MY APOLOGIES FOR NOT ANSWERING YOUR COMMUNICATION SOONER, BUT WE ARE A ONE GIRL OFFICE AND SHE LEFT UNEXPECTEDLY, AS A RESULT I AM BEHIND IN MY COMMUNICATIONS.

WE ADVISED MR. FECK THAT WE DID NOT ACCEPT TRANSFERS FROM THE AMALGAMATED ASSOCIATION OF STREET ELECTRIC RAILWAY AND MOTOR COACH EMPLOYEES, BUT HE INSISTED THAT HE HAD BEEN ADVISED BY THE BUSINESS AGENT OF THAT ORGANIZATION THAT WE WOULD.

THE POSITION OF THIS LOCAL UNION REMAINS THE SAME; HE MUST PAY THE FULL INITIATION FEE AS PREVIOUSLY INSTRUCTED, BUT WE ARE WILLING TO AWAIT WORD FROM YOU TO MR. FECK BEFORE PRECEDING FURTHER.

WHILE THIS IS NOT PERTINENT TO THE CASE, HE CERTAINLY HAS MADE ONE STATEMENT THAT IS DISTINCTLY UNTRUE. WE DID NOT HAVE TWO EMPLOYEES ON THAT PARTICULAR ROUTE INSIDE OF SIXTY DAYS, BECAUSE WE HAVE A THIRTY DAY SHOP. BOTH MEN WERE HIRED BUT LEFT BEFORE THEIR PROBATIONARY PERIOD WAS UP. TRUSTING THAT YOU WILL NOTIFY MR. FECK, PER HIS REQUEST, THAT HE MUST PAY HIS INITIATION FEE IN THIS LOCAL UNION, I REMAIN,

FATERNALLY YOURS,

W. Edward Thompson
W. EDWARD THOMPSON
PRES. & BUS. MGR

NET:RM
ENCL.

507 E. 11th Street
Brooklyn 3, New York
October 8, 1954

ADMINISTRATIVE FILE V

FECK, John H.
X
X

Dave Beck
100 Madison Avenue
New York 17, N.Y.

Re: Acceptance of Office October 12, 1954

Dear Mr. Beck:

I was employed by Central Greyhound Lines as a driver and quite recently was offered a driver position at the Central Greyhound Lines which I accepted with the understanding that I would be allowed to transfer from assigned Association of Street Electric Railway and Motor Coach Drivers of New York City to your local union, Mr. Thomas L. Mackey, Vice-President A.F. of L. International Brotherhood of Teamsters, 325 Spring Street, Room 306 New York, New York.

After I was accepted and worked for one week in your office, they have refused to accept it. They want to pay the fifty dollar fine. I am in a position to do so which they have already paid. A photostatic copy of a letter dated October 8, 1954, from the above-captioned individual is enclosed herewith for your attention and appropriate action.

I would like to know just what is the ruling on a strike. I am greatly appreciating your help on this matter as soon as possible.

Fraternally yours,
Robert L. Graham
Assistant to the
General President

RLG/alb
Encl.

John H. Feck
John H. Feck

ADMINISTRATIVE FILE

Feely, Kathryn V.

September 15, 1959

Mrs. Kathryn V. Feely
104 Grays Street
Massyunk, Pennsylvania

Dear Mrs. Feely:

I have tried to get the answer to the question which you raise in your postcard dated August 19th.

I regret, however, that I am unable to give you any assistance because I am not certain of the nature of the problem which you raise. If you will send me additional information, outlining specifically the nature of the problem, I shall be glad to do whatever is possible.

Very truly yours,

Abraham Weiss
Economist

AW:ac

ADMINISTRATIVE FILE

Feldhake Mac J.
X
X

April 22, 1960

Mr. Mac J. Feldhake
P. O. Box 661
Santa Fe, New Mexico

Dear Mr. Feldhake:

Mr. Hoffa's correct address is as follows:

Mr. James R. Hoffa
General President
International Brotherhood of Teamsters
Chauffeurs, Warehousemen & Helpers
of America
25 Louisiana Avenue, N. W.
Washington 1, D. C.

Very truly yours,

Joseph Konows
Administrative Assistant to the
General President

JK/js





RENTALS

A. M. FELDMAKE
JEFFERSON STREET
SANTA FE, NEW MEXICO

BOX 189
PHONE 3-7881

April 19, 1960

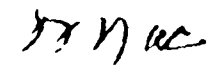
Secretary
International Brotherhood
of Teamsters
25 Louisiana Ave N W
Washington 1 D C

Dear Sir :

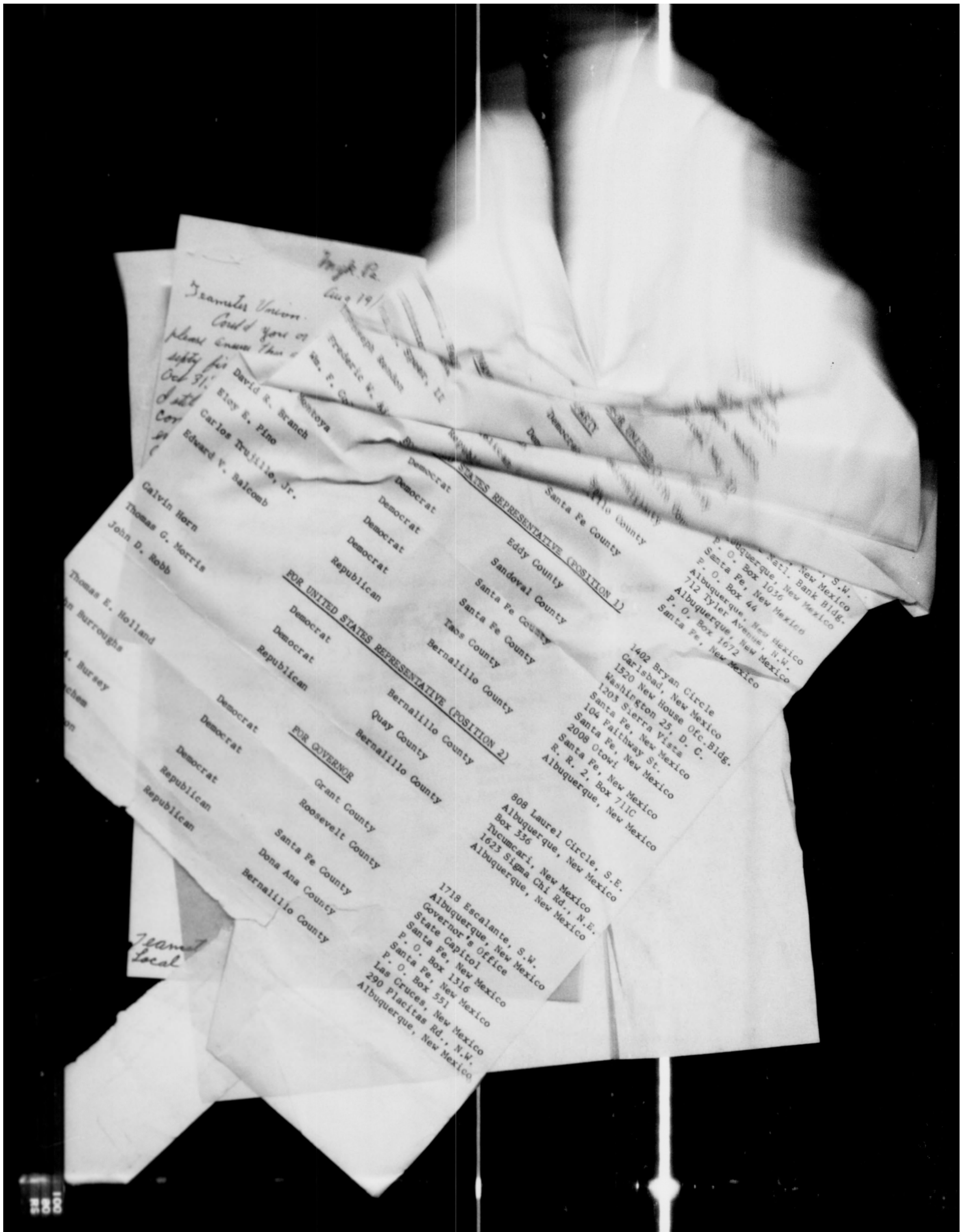
Please give me the information as to the correctness of the above
address so that a telegram can reach James Hoffa.

This information at your earliest convenience will be appreciated
as time is a factor in this matter to be taken up with him.

Sincerely,



Mac J Feldhake
P O Box 661
Santa Fe N. M.



Teamsters Union

Could you or
please answer this

Lefty for
Oct 31

State
Corr

David R. Branch
Eloy E. Pino
Carlos Trujillo, Jr.
Edward V. Balcomb

Calvin Horn
Thomas G. Morris
John D. Robb

Thomas E. Holland
John Burroughs

M. Bursey
Cham

Teamsters
Local

Aug 19

Frederic E. Allen
Wm. F. G.

Democrat
Democrat
Democrat
Democrat
Republican

FOR UNITED STATES REPRESENTATIVE (POSITION 1)

Democrat
Democrat
Republican

FOR GOVERNOR

Democrat
Democrat
Republican
Republican

Grant County
Roosevelt County
Santa Fe County
Dona Ana County
Bernalillo County

Democrat
Democrat
Democrat
Democrat
Republican

Santa Fe County
Eddy County
Sandoval County
Santa Fe County
Santa Fe County
Taos County
Bernalillo County

FOR UNITED STATES REPRESENTATIVE (POSITION 2)

Democrat
Democrat
Republican

Bernalillo County
Quay County
Bernalillo County

1718 Escalante, S.W.
Albuquerque, New Mexico
Governor's Office
State Capitol
Santa Fe, New Mexico
P. O. Box 1316
Santa Fe, New Mexico
P. O. Box 551
Las Cruces, New Mexico
290 Placitas Rd., N.W.
Albuquerque, New Mexico

Santa Fe County
Sandoval County
Santa Fe County
Santa Fe County
Taos County
Bernalillo County

1402 Bryan Circle
Carlshad, New Mexico
1520 New House
Washington 25, D. C.
1203 Sierra Vista
Santa Fe, New Mexico
104 Faithway St.
Santa Fe, New Mexico
2008 Otowi
Santa Fe, New Mexico
R. R. 2, Box 711C
Albuquerque, New Mexico

608 Laurel Circle, S.E.
Albuquerque, New Mexico
Box 336
Tucumcari, New Mexico
1623 Sigma Chi Rd., N.E.
Albuquerque, New Mexico

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ADMINISTRATIVE FILE

32764, a. H.

January 23, 1967

Mr. A. H. Pagley
2222 Stuart Street
Denver, Colorado

Dear Mr. Pagley:

We are herewith returning your District Heavy Order in the amount of \$1.00 which accompanied your request for a copy of the Constitution and By-laws of our International Union.

You must contact your local Union in regard to obtaining a copy of this document.

Sincerely yours,

Robert L. Graham
Assistant to the
General President

RLG/alb
Encl.

FROM THE OFFICE OF
DAVE GALT, GENERAL PRESIDENT
INTERNATIONAL UNION OF TEAMSTERS

Denver, Colo.

Jan. 17, 1937

International Brotherhood
of Teamsters, Chauffeurs,
Warehousemen & Helpers.
Washington, D. C.

Gentlemen:

Will you please send me copy
of the latest issue of the
Constitution of this Brotherhood.
Enclosed is one dollar for said
copy.

Thanking you & hoping to
receive same at an early date,
I am

Very truly yours

A. H. Fegley

5230 Stuart St

Denver 13, Colo.

Teamsters
Local Union No 17.

Feiner's Organization, Inc.

REALTORS

1635 WASHINGTON AVENUE

PHONES BR 1211 - BR 7961

MIAMI BEACH 39, FLORIDA

BERNARD S. FEINER
PRESIDENT

ADMINISTRATIVE FILE

Feiner's Organization, Inc.
☒ *incorporated*
☒ X

May 29th, 1954

Mr. Dave Beck, President
International Brotherhood of Teamsters
100 Indiana Avenue, N. W.
Washington, D. C.

Dear Mr. Beck:-

Due to the fact that your organization always has considerable cash on hand for gilt-edge investments, prompted us to write you about the following outstanding huge block of stores occupied by the largest and best chain companies in the nation.

We have for sale in the fastest growing city in the United States, the very best block of chain stores and a large national bank. The frontages comprise of 325 feet on one street, 352 feet on another street, and also 352 feet on another street, and the rear line has another 325 feet.

All the buildings are strictly fireproof and of the very best, strictly modern construction, covering practically the entire three block frontages above mentioned.

They have their own independent power plants for electricity and air conditioning. Of course, they have several lobbies and elevators, escalators, etc., and also a huge vacant parcel of about 25,000 square feet, which is now used for an automobile parking lot, on which could be erected offices and a huge parking garage to accommodate all the tenants.

At present, it produced \$718,842.19 income, but it should, and will be producing, conservatively, over \$800,000. a year under our management.

To show you further how excellent this property really is, an extremely conservative New England insurance company loaned the owner \$5 million dollars at the most unheard of rate of 3% interest. Due to the fact that he had the most outstanding block and best construction, and today it is the very best 100% location, the owner was able to dictate to the insurance company to pay only the small rate of 3% interest.

To give you a further idea how desirable this property's location is, the bank lease has about 5 years more to run, but they have already offered the owner twice what they are now paying, if he would extend said lease for 10 or 20 years more, which he has so far refused to do.

Until now, the owner did not want to sell it, but since he is in the 60's, I have convinced him that it would be advantageous to him to dispose of it and disburse the money to whom he saw fit, instead of having a wrangle after he is gone and pay a great deal of money in inheritance taxes.

OUR 53rd YEAR IN REALTY BUSINESS



OVER 33 YEARS EFFICIENT SERVICE IN MIAMI BEACH AREA

- 2 -

May 29th, 1954

Mr. Dave Beck, President
International Brotherhood of Teamsters

The owner has been asking \$8,000,000. for this property, but I know I can get him to accept a whole lot less for a quick sale.

Needless to say, we will be very pleased to send you a large photo and a set-up showing actual income and expenses, and the expiration of the leases.

To show you how much I think of this property, if you are interested, I will be very glad to meet you, at any time by appointment, to give you all the data or any details that you may desire.

Trusting to hear from you regarding the above, I am,

Very truly yours,

FEINER'S ORGANIZATION, INC.

Bernard S. Feiner

BERNARD S. FEINER - President

BC:refs

RECEIVED
OFFICE OF

MAY 31 1954

COMMUNITY
PROJECT

ADMINISTRATIVE FILE

Feiner, Paul A. (att)

August 15, 1960

Paul A. Feiner, Esquire
2948 Uarub Avenue
Philadelphia 49, Pennsylvania

Dear Mr. Feiner:

This is a reply to your letter of August 11, 1960, concerning practice in the labor law field.

As you are no doubt aware, many corporations and labor unions have house counsel. I believe that the International Association of Machinists, 1500 Connecticut Avenue, N.W., Washington 1, D.C., and the International Brotherhood of Boilermakers, Kansas City, Kansas, have vacancies at the present time. Concerning the vacancy with the Boilermakers, you should contact Herbert S. Thatcher, Esquire, 1009 Tower Building, Washington, D.C. It is my understanding that Mr. Thatcher also has a vacancy in his Washington office.

If you would like to survey various unions concerning the possibility of vacancies, I would suggest that you obtain a copy of the Directory of National and International Labor Unions in the United States, 1959 (Department of Labor Bulletin No. 1357) from the Government Printing Office.

You may experience difficulty in obtaining a position with a private organization or a law firm in the light of your lack of labor law experience. For this reason, you might want to consider the possibility of applying for a position with the National Labor Relations Board in its Washington office or one of its regional offices. The Board has an office in Philadelphia and you can obtain additional information there.

I would be pleased to chat with you on these matters whenever you might be in the city.

With best wishes,

Sincerely yours,

Florine J. Bartonick
House Counsel

FJB:efl

ADMINISTRATIVE FILE

Feinstein, Henry
X Wagner, Robert F. (Hon.)
J.C. 16

DECEMBER 14, 1953

Hon. Robert F. Wagner, Jr.
Municipal Building
New York, New York

My Dear Mr. Wagner

This is in relation to the reappointment of Henry
Feinstein as Commissioner of Sanitation for the City
of New York. I am informed that our New York Teamsters
Joint Council No. 16 is urging this appointment and I am
petitioning you in support of their desire on behalf of the
International Union.

With sincere appreciation, I am

Yours very truly,

DB:aw

cc- Lacey
Lacey

FROM THE OFFICE OF
DAVE BECK, GENERAL PRESIDENT
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

**Equipment Provisions
in the
Uniform Vehicle Code**

Including 1956 Revisions

(ALL NUMBERED PAGES HEREIN ARE PHOTO-LITHO
REPRODUCTIONS OF PAGES AS THEY APPEAR IN
THE UNIFORM VEHICLE CODE - 1956 REVISION)

Equipment Provisions

ANSWERS TO YOUR QUESTIONS

QUESTIONS CONCERNING ANY SECTION IN CHAPTER
12 OF THE UNIFORM VEHICLE CODE MAY BE ADDRESSED
TO —

MATLAND H. BUSTARD, EXECUTIVE SECRETARY
NATIONAL COMMITTEE ON UNIFORM TRAFFIC
LAW AND ORDINANCES
1604 K STREET, N. W., WASHINGTON 6, D.C.

MYLES W. ENGLISH
NATIONAL HIGHWAY USERS' CONFERENCE
902 NATIONAL PRESS BUILDING
WASHINGTON 4, D. C.

ANDREW P. FEDERLINE, LL.M.
CONSULTANT ON MOTOR VEHICLE LAW
701 CONSTITUTION AVENUE, N. W.
WASHINGTON 1, D. C.

CHAPTER 12

Equipment of Vehicles

ARTICLE I—SCOPE AND EFFECT OF REGULATIONS

SECTION 12-101. Scope and effect of regulations

(a) It is a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter, or which is equipped in any manner in violation of this chapter, or for any person to do any act forbidden or fail to perform any act required under this chapter.

(b) Nothing contained in this chapter shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of this chapter.

(c) The provisions of this article with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers or farm tractors except as herein made applicable. (Paragraph (c) revised 1962.)

ARTICLE II—LAMPS AND OTHER LIGHTING EQUIPMENT

Sec. 12-201—When lighted lamps are required

Every vehicle upon a highway within this State at any time from a half hour after sunset to a half hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles. (Revised 1964, from former Sec. 124, Act V.)

Sec. 12-202—Visibility distance and mounted height of lamps

(a) Whenever requirement is hereinafter declared as to distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in section 12-201 in respect to a

* Vehicles referred to in sec. 12-101 (c) are subject to these requirements in respect to lamps and lights in sec. 12-201.

vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

(b) Whenever requirement is hereinafter declared as to the mounted height of lamps or devices it shall mean from the center of such lamp or device to the level ground upon which the vehicle stands when such vehicle is without a load.

Sec. 12-203—Head lamps on motor vehicles

(a) Every motor vehicle other than a motorcycle or motor-driven cycle shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this chapter.

(b) Every motorcycle and every motor-driven cycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of this chapter.

(c) Every head lamp upon every motor vehicle, including every motorcycle and motor-driven cycle, shall be located at a height measured from the center of the head lamp of not more than 54 inches nor less than 24 inches to be measured as set forth in section 12-202 (b).⁴⁵ (PARAGRAPH REVISED 1956.)

Sec. 12-204—Tail lamps

(a) Every motor vehicle, trailer, semitrailer and pole trailer, and any other vehicle which is being drawn at the end of a train of vehicles, shall be equipped with at least one tail lamp mounted on the rear, which, when lighted as heretofore required, shall emit a red light plainly visible from a distance of 500 feet to the rear, provided that in the case of a train of vehicles only the tail lamp on the rearmost vehicle need actually be seen from the distance specified. And further, every such above-mentioned vehicle, other than a truck tractor, registered in this State and manufactured or assembled after (date) shall be equipped with at least two tail lamps mounted on the rear, on the same level and as widely spaced laterally as practicable, which, when lighted as herein required, shall comply with the provisions of this section. (REVISED 1956.)

(b) Every tail lamp upon every vehicle shall be located at a height of not more than 72 inches nor less than 20 inches. (REVISED 1952.)

(c) Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration

⁴⁵ It may be desirable upon the enactment of sec. 12-203 (c) to limit its application to new motor vehicles first sold after the effective date of said paragraph.

plate and render it clearly legible from a distance of 50 feet to the rear. Any tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted.

Sec. 12-205—New motor vehicles to be equipped with reflectors

(a) Every new motor vehicle hereafter sold and operated upon a highway other than a truck tractor shall carry on the rear, either as a part of the tail lamps or separately, two red reflectors, except that every motorcycle and every motor-driven cycle shall carry at least one reflector, meeting the requirements of this section, and except that vehicles of the type mentioned in section 12-206 shall be equipped with reflectors as required in those sections applicable thereto.

(b) Every such reflector shall be mounted on the vehicle at a height not less than 20 inches nor more than 60 inches measured as set forth in section 12-103 (b), and shall be of such size and characteristics and so mounted as to be visible at night from all distances within 150 feet to 100 feet from such vehicle when directly in front of lawful upper beams of head lamps, except that visibility from a greater distance is hereafter required of reflectors on certain types of vehicles (P.A. (b) REVISOR 1954, FROM FORMER SEC. 127, ACT V.)

Sec. 12-206—Stop lamps and turn signals required on new motor vehicles

(a) No person shall sell or offer for sale or operate on the highways any motor vehicle registered in this State and manufactured or assembled after (date) unless it is equipped with at least two stop lamps meeting the requirements of section 12-219, except that a motorcycle, motor-driven cycle or truck tractor manufactured or assembled after said date shall be equipped with at least one stop lamp meeting the requirements of said section 12-219. (Revised, 1956.)

(b) No person shall sell or offer for sale or operate on the highways any motor vehicle, trailer or semitrailer registered in this State and manufactured or assembled after (date), unless it is equipped with electrical turn signals meeting the requirements of section 12-219. This paragraph shall not apply to any motorcycle or motor-driven cycle. (Revised, 1956.)

Sec. 12-207—Application of succeeding sections

Those sections of this chapter which follow immediately, including sections 12-209, 12-209, 12-210, 12-211 and 12-212, relating to clearance and marker lamps, reflectors and stop lights, shall apply as stated in said sections to vehicles of the type therein enumerated, namely passenger buses, trucks, truck tractors, and certain trailers, semi-

trailers and pole trailers, respectively, when operated upon any highway, and said vehicles shall be equipped as required and all lamp equipment required shall be lighted at the times mentioned in section 12-201, except that clearance and side marker lamps need not be lighted on any said vehicle when operated within any municipality where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet.

Sec. 12-208 - Additional equipment required on certain vehicles

In addition to other equipment required in this chapter, the following vehicles shall be equipped as herein stated under the conditions stated in section 12-207:

(a) On every bus or truck, whatever its size, there shall be the following:

On the rear, two reflectors, one at each side, and one stop light.

(b) On every bus or truck 80 inches or more in over-all width, in addition to the requirements in paragraph (a):

On the front, two clearance lamps, one at each side.

On the rear, two clearance lamps, one at each side.

On each side, two side marker lamps, one at or near the front and one at or near the rear.

On each side, two reflectors, one at or near the front and one at or near the rear.

(c) On every truck tractor:

On the front, two clearance lamps, one at each side.

On the rear, one stop light.

(d) On every trailer or semitrailer having a gross weight in excess of 3,000 pounds:

On the front, two clearance lamps, one at each side.

On each side, two side marker lamps, one at or near the front and one at or near the rear.

On each side, two reflectors, one at or near the front and one at or near the rear.

On the rear, two clearance lamps, one at each side, also two reflectors, one at each side, and one stop light.

(e) On every pole trailer in excess of 3,000 pounds gross weight:

On each side, one side marker lamp and one clearance lamp which may be in combination, to show to the front, side and rear.

On the rear of the pole trailer or load, two reflectors, one at each side.

(f) On every trailer, semitrailer or pole trailer weighing 3,000 pounds gross or less:

On the rear, two reflectors, one on each side. If any trailer or semitrailer is so loaded or is of such dimensions as to obscure the stop light on the towing vehicle, then such vehicle shall also be equipped with one stop light.

Sec. 12-209—Color of clearance lamps, side marker lamps, back-up lamps and reflectors

(a) Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color.

(b) Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.

(c) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop light or other signal device, which may be red, amber or yellow, and except that the light illuminating the license plate shall be white and the light emitted by a back-up lamp shall be white or amber.

Sec. 12-210—Mounting of reflectors, clearance lamps and side marker lamps

(a) Reflectors when required by section 12-208 shall be mounted at a height not less than 24 inches and not higher than 60 inches above the ground on which the vehicle stands, except that if the highest part of the permanent structure of the vehicle is less than 24 inches the reflector at such point shall be mounted as high as that part of the permanent structure will permit.

The rear reflectors on a pole trailer may be mounted on each side of the bolster or load.

Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but such reflector shall meet all the other reflector requirements of this chapter.

(b) Clearance lamps shall be mounted on the permanent structure of the vehicle in such a manner as to indicate its extreme width and as near the top thereof as practicable. Clearance lamps and side marker lamps may be mounted in combination provided illumination is given as required herein with reference to both.

Sec. 12-211—Visibility of reflectors, clearance lamps and marker lamps

(a) Every reflector upon any vehicle referred to in section 12-208 shall be of such size and characteristics and so maintained as to be readily visible at nighttime from all distances within 800 feet to 100 feet from the vehicle when directly in front of lawful upper beams of

head lamps. Reflectors required to be mounted on the sides of the vehicle shall reflect the required color of light to the sides, and those mounted on the rear shall reflect a red color to the rear. (PAR. (a) REVISED, DELETED FROM FORMER SEC. 132, ACT V.)

(b) Front and rear clearance lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of 500 feet from the front and rear, respectively, of the vehicle.

(c) Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of 500 feet from the side of the vehicle on which mounted.

Sec. 12-212—Obstructed lights not required

Whenever motor and other vehicles are operated in combination during the time that lights are required, any lamp (except tail lamps) need not be lighted which, by reason of its location on a vehicle of the combination, would be obscured by another vehicle of the combination, but this shall not affect the requirement that lighted clearance lamps be displayed on the front of the foremost vehicle required to have clearance lamps, nor that all lights required on the rear of the rearmost vehicle of any combination shall be lighted.

Sec. 12-213—Lamp or flag on projecting load

Whenever the load upon any vehicle extends to the rear 4 feet or more beyond the bed or body of such vehicle there shall be displayed at the extreme rear end of the load, at the time specified in section 12-201 hereof, a red light or lantern plainly visible from a distance of at least 500 feet to the sides and rear. The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear end of such load a red flag or cloth not less than 12 inches square and so hung that the entire area is visible to the driver of a vehicle approaching from the rear.

Sec. 12-214—Lamps on parked vehicles

(a) Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half hour after sunset and a half hour before sunrise and in the event there is sufficient light to reveal any person or object within a distance of 500 feet upon such street or highway no lights need be displayed upon such parked vehicle.

(b) Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between a half hour after sunset and a half hour before sunrise

and there is not sufficient light to reveal any person or object within a distance of 500 feet upon such highway, such vehicle so parked or stopped shall be equipped with one or more lamps meeting the following requirements: At least one lamp shall display a white or amber light visible from a distance of 500 feet to the front of the vehicle, and the same lamp or at least one other lamp shall display a red light visible from a distance of 500 feet to the rear of the vehicle, and the location of said lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. The foregoing provisions shall not apply to a motor-driven cycle. (Revised 1952.)

(c) Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

Sec. 12-215. Lamps on farm tractors, farm equipment and implements of husbandry

(a) Every farm tractor and every self-propelled farm equipment unit or implement of husbandry not equipped with an electric lighting system shall at all times mentioned in section 12-201 be equipped with at least one lamp displaying a white light visible when lighted from a distance of not less than 500 feet to the front of such vehicle and shall also be equipped with at least one lamp displaying a red light visible when lighted from a distance of not less than 500 feet to the rear of such vehicle.

(b) Every self-propelled unit of farm equipment not equipped with an electric lighting system shall at all times mentioned in section 12-201, in addition to the lamps required in paragraph (a), be equipped with two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful upper beams of head lamps.

(c) Every combination of farm tractor and towed unit of farm equipment or implement of husbandry not equipped with an electric lighting system shall at all times mentioned in section 12-201 be equipped with the following lamps:

1. At least one lamp mounted to indicate as nearly as practicable the extreme left projection of said combination and displaying a white light visible when lighted from a distance of not less than 500 feet to the front of said combination, and

2. Two lamps each displaying a red light visible when lighted from a distance of not less than 500 feet to the rear of said combination or as an alternative at least one lamp displaying a red light visible when lighted from a distance of not less than 500 feet to the rear thereof.

and two red reflectors visible from all distances within 600 feet to 100 feet to the rear thereof when illuminated by the upper beams of head lamps.

(d) Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry equipped with an electric lighting system shall at all times mentioned in section 12-201 be equipped with two single-beam or multiple-beam head lamps meeting the requirements of sections 12-221 or 12-223 of this act respectively or, as an alternative, section 12-224 of this act, and at least one red lamp visible when lighted from a distance of not less than 500 feet to the rear, provided, however, that every such self-propelled unit of farm equipment other than a farm tractor shall have two such red lamps or, as an alternative, one such red lamp and two red reflectors visible from all distances within 600 feet to 100 feet when directly in front of lawful upper beams of head lamps.

(e) Every combination of farm tractor and towed farm equipment or towed implement of husbandry equipped with an electric lighting system shall at all times mentioned in section 12-201 be equipped with lamps as follows:

1. The farm tractor element of every such combination shall be equipped as required in paragraph (d) of this section.

2. The towed unit of farm equipment or implement of husbandry element of such combination shall be equipped with two red lamps visible when lighted from a distance of not less than 500 feet to the rear or, as an alternative, two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful upper beams of head lamps.

3. Said combinations shall also be equipped with a lamp displaying a white or amber light, or any shade of color between white and amber, visible when lighted from a distance of not less than 500 feet to the front and a lamp displaying a red light visible when lighted from a distance of not less than 500 feet to the rear.

(f) The lamps and reflectors required in the foregoing paragraphs of this section shall be so positioned as to show from front and rear as nearly as practicable the extreme projection of the vehicle carrying them on the side of the roadway used in passing such vehicle. If a farm tractor, or a unit of farm equipment, whether self-propelled or towed, is equipped with two or more lamps or reflectors visible from the front or two or more lamps or reflectors visible from the rear, such lamps or reflectors shall be so positioned that the extreme projections both to the left and to the right of said vehicle shall be indicated as nearly as practicable. (SECTION REVISED, 1956.)

Sec. 12-216—Lamps on other vehicles and equipment

Every vehicle, including animal-drawn vehicles and vehicles referred to in section 12-101(c), not specifically required by the provisions of this article to be equipped with lamps or other lighting devices, shall at all times specified in section 12-221 of this act be equipped with at least one lamp displaying a white light visible from a distance of not less than 500 feet to the front of said vehicle, and shall also be equipped with two lamps displaying red light visible from a distance of not less than 500 feet to the rear of said vehicle, or as an alternative, one lamp displaying a red light visible from a distance of not less than 500 feet to the rear and two red reflectors visible for distances of 100 to 200 feet to the rear when illuminated by the upper beams of head lamps. (REVISOR, 1954, FROM PAR. (a), FORNSEN SOL. 137, ACT V.)

Sec. 12-217—Spot lamps and auxiliary lamps

(a) *Spot lamps*.—Any motor vehicle may be equipped with not to exceed two spot lamps and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle and more than 100 feet ahead of the vehicle.

(b) *Fog lamps*.—Any motor vehicle may be equipped with not to exceed two fog lamps mounted on the front at a height not less than 12 inches nor more than 30 inches above the level surface upon which the vehicle stands and so aimed that when the vehicle is not loaded none of the high-intensity portion of the light to the left of the center of the vehicle shall at a distance of 25 feet ahead project higher than a level of 4 inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting the above requirements may be used with lower head lamp beams as specified in section 12-221(b).

(c) *Auxiliary passing lamps*.—Any motor vehicle may be equipped with not to exceed two auxiliary passing lamps mounted on the front at a height not less than 24 inches nor more than 42 inches above the level surface upon which the vehicle stands. The provisions of section 12-221 shall apply to any combination of head lamps and auxiliary passing lamps.

(d) *Auxiliary driving lamps*.—Any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height not less than 16 inches nor more than 42 inches above the level surface upon which the vehicle stands. The provisions of section 12-221 shall apply to any combination of head lamps and auxiliary driving lamps. (PARAGRAPHS (c) AND (d) REVISOR, 1956.)

Sec. 12-218. Audible and visual signals on vehicles

(a) Every authorized emergency vehicle shall, in addition to any other equipment and distinctive markings required by this act, be equipped with a siren, exhaust whistle or bell capable of giving an audible signal.

(b) Every bus used for the transportation of school children and every authorized emergency vehicle shall, in addition to any other equipment and distinctive markings required by this act, be equipped with signal lamps mounted as high and as widely spaced laterally as practicable which shall be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level, and these lights shall have sufficient intensity to be visible at 500 feet in normal sunlight.

(c) A police vehicle when used as an authorized emergency vehicle may but need not be equipped with alternately flashing red lights specified herein.

(d) The use of the signal equipment described herein shall impose upon drivers of other vehicles the obligation to yield right of way and stop as prescribed in sections 11-405 and 11-707 of this act. (New Sections, 1954.)

Sec. 12-219. Signal lamps and signal devices

(a) Any motor vehicle may be equipped and when required under this act shall be equipped with a stop lamp or lamps on the rear of the vehicle which shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than 100 feet to the rear in normal sunlight, and which shall be actuated upon application of the service (foot) brake, and which may but need not be incorporated with one or more other rear lamps.

(b) Any motor vehicle may be equipped and when required under this act shall be equipped with lamps showing to the front and rear for the purpose of indicating an intention to turn either to the right or left. Such lamps showing to the front shall be located on the same level and as widely spaced laterally as practicable and when in use shall display a white or amber light, or any shade of color between white and amber, visible from a distance of not less than 100 feet to the front in normal sunlight, and the lamps showing to the rear shall be located at the same level and as widely spaced laterally as practicable and when in use shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than 100 feet to the rear in normal sunlight. When actuated such lamps shall indicate the intended direction of turning by flashing

the lights showing to the front and rear on the side toward which the turn is made. (PARAGRAPH REVISED, 1956.)

(c) Any motor vehicle or combination of vehicles 80 inches or more in overall width, and manufactured or assembled after (date), shall be equipped with lamps showing to the front and rear for the purpose of indicating an intention to turn either to the right or the left. Such lamps showing to the front shall be located on the same level and as widely spaced laterally as practicable and when in use shall display a white or amber light, or any shade of color between white and amber, visible from a distance of not less than 500 feet to the front in normal sunlight, and the lamps showing to the rear shall be located at the same level and as widely spaced laterally as practicable and when in use shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than 500 feet to the rear in normal sunlight. When actuated such lamps shall indicate the intended direction of turning by flashing the lights showing to the front and rear on the side toward which the turn is made. (PARAGRAPH ADDED, 1956.)

(d) No stop lamp or signal lamp shall project a glaring light. (SECTION REVISED, 1954, FROM FORMER SEC. 139, ACT V.)

Sec. 12-220. Additional lighting equipment

(a) Any motor vehicle may be equipped with not more than two side-cowl or fender lamps which shall emit an amber or white light without glare.

(b) Any motor vehicle may be equipped with not more than one running board courtesy lamp on each side thereof which shall emit a white or amber light without glare.

(c) Any motor vehicle may be equipped with not more than two back-up lamps either separately or in combination with other lamps, but any such back-up lamp shall not be lighted when the motor vehicle is in forward motion.

(d) Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing, and when so equipped may display such warning in addition to any other warning signals required by this act. The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted

at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night. (Part (d) added, 1954, to former Sec. 140, Act V.)

(e) Any commercial vehicle 80 inches or more in overall width may be equipped with not more than three identification lamps showing to the front which shall emit an amber light without glare and not more than three identification lamps showing to the rear which shall emit a red light without glare. Such lamps shall be placed in a row and may be mounted either horizontally or vertically. (Part (e) added, 1956.)

Sec. 12-221—Multiple-beam road-lighting equipment

Except as hereinafter provided, the head lamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles other than motorcycles or motor-driven cycles shall be so arranged that the driver may select at will between distributions of light projected to different elevations and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:

(a) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading.

(b) There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead; and on a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

(c) Every new motor vehicle, other than a motorcycle or motor-driven cycle, registered in this State after January 1, 1955, which has multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped. (Section revised, 1954, from former Sec. 141, Act V.)

Sec. 12-222—Use of multiple-beam road-lighting equipment

(a) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times specified in section 12-201, the driver shall use a distribution of light, or composite beam, directed

high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

(b) Whenever a driver of a vehicle approaches an oncoming vehicle within 500 feet, such driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, or composite beam, specified in section 12-221(b) shall be deemed to avoid glare at all times, regardless of road contour and loading. (Pam. (a) and (b) revised, 1954, from former Sec. 142, Act V.)

(c) Whenever the driver of a vehicle follows another vehicle within 200 feet to the rear, except when engaged in the act of overtaking and passing, such driver shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in paragraph (a) of section 12-221. (Pam. (c) added, 1952.)

Sec. 12-222. Single-beam road-lighting equipment

Head lamps arranged to provide a single distribution of light shall be permitted on motor vehicles manufactured and sold prior to 1 year after the effective date of this act in lieu of multiple-beam road-lighting equipment herein specified if the single distribution of light complies with the following requirements and limitations:

1. The head lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of 25 feet ahead project higher than a level of 5 inches below the level of the center of the lamp from which it comes, and in no case higher than 42 inches above the level on which the vehicle stands at a distance of 75 feet ahead.

2. The intensity shall be sufficient to reveal persons and vehicles at a distance of at least 200 feet.

Sec. 12-224. Lighting equipment on motor-driven cycles

The head lamp or head lamps upon every motor-driven cycle may be of the single-beam or multiple-beam type but in either event shall comply with the requirements and limitations as follows:

1. Every said head lamp or head lamps on a motor-driven cycle shall be of sufficient intensity to reveal a person or a vehicle at a distance of not less than 100 feet when the motor-driven cycle is operated at any speed less than 25 miles per hour and at a distance of not less than 200 feet when the motor-driven cycle is operated at a speed of 25 or more miles per hour, and at a distance of not less than 300 feet when the motor-driven cycle is operated at a speed of 35 or more miles per hour. (Revised 1952.)

2. In the event the motor-driven cycle is equipped with a multiple beam head lamp or head lamps the upper beam shall meet the minimum requirements set forth above and shall not exceed the limitations set forth in section 12-221(a) and the lowermost beam shall meet the requirements applicable to a lowermost distribution of light as set forth in section 12-221(b).

3. In the event the motor-driven cycle is equipped with a single beam lamp or lamps, said lamp or lamps shall be so aimed that when the vehicle is loaded none of the high intensity portion of light, at a distance of 25 feet ahead, shall project higher than the level of the center of the lamp from which it comes.

Sec. 12-225. Alternate road-lighting equipment

Any motor vehicle may be operated under the conditions specified in section 12-201 when equipped with two lighted lamps upon the front thereof capable of revealing persons and objects 75 feet ahead in lieu of lamps required in section 12-221 or section 12-223, provided, however, that at no time shall it be operated at a speed in excess of 20 miles per hour.

Sec. 12-226. Number of driving lamps required or permitted

(a) At all times specified in section 12-201, at least two lighted lamps shall be displayed, one on each side at the front of every motor vehicle other than a motorcycle or motor-driven cycle, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

(b) Whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of intensity greater than 300 candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

Sec. 12-227. Special restrictions on lamps

(a) Any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps and school-bus warning lamps, which projects a beam of light of an intensity greater than 300 candlepower shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle. (Revised, 1952.)

(b) No person shall drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying a red light

visible from directly in front of the center thereof. This section shall not apply to any vehicle upon which a red light visible from the front is expressly authorized or required by this act. (Revised, 1949.)

(c) Flashing lights are prohibited except on an authorized emergency vehicle, school bus, snow removal equipment or on any vehicle as a means of indicating a right or left turn, or the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing. (Par. (c) revised, 1954, from former Sec. 146, Act V.)

Sec. 12-228. Special lighting equipment on school buses

(a) The (commissioner of motor vehicles) is authorized to adopt standards and specifications applicable to lighting equipment on and special warning devices to be carried by school buses consistent with the provisions of this chapter, but supplemental thereto. Such standards and specifications shall correlate with and, so far as possible, conform to the specifications then current as approved by the Society of Automotive Engineers. (Par. (a) revised, 1954, from former Sec. 109.6, Act V.)

(b) It shall be unlawful to operate any flashing warning signal light on any school bus except when any said school bus is stopped on a highway for the purpose of permitting school children to board or alight from said school bus. (Section added, 1949.)

Sec. 12-229. Standards for lights on snow-removal equipment

(a) The (State highway commission) shall adopt standards and specifications applicable to head lamps, clearance lamps, identification and other lamps on snow removal equipment when operated on the highways of this State in lieu of the lamps otherwise required on motor vehicles by this chapter. Such standards and specifications may permit the use of flashing lights for purposes of identification on snow-removal equipment when in service upon the highways. The standards and specifications for lamps referred to in this section shall correlate with and, so far as possible, conform with those approved by the American Association of State Highway Officials.

(b) It shall be unlawful to operate any snow-removal equipment on any highway unless the lamps thereon comply with and are lighted when and as required by the standards and specifications adopted as provided in this section. (Section added 1949.)

Sec. 12-230. Selling or using lamps or equipment

(a) On and after (date) no person shall have for sale, sell or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer or semitrailer, or use upon any such vehicle any head

lamp, auxiliary, or fog lamp, rear lamp, signal lamp or reflector, which reflector is required hereunder, or parts of any of the foregoing which tend to change the original design or performance, unless of a type which has been submitted to the commissioner and approved by him. The foregoing provisions of this section shall not apply to equipment in actual use when this section is adopted or replacement parts therefor. (Revised 1952.)

(b) No person shall have for sale, sell or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer or semitrailer any lamp or device mentioned in this section which has been approved by the commissioner unless such lamp or device bears thereon the trade mark or name under which it is approved so as to be legible when installed.

(c) No person shall use upon any motor vehicle, trailer or semitrailer any lamps mentioned in this section unless said lamps are mounted, adjusted and aimed in accordance with instructions of the commissioner. (PAC (c) REVISED 1954. FROM FORMER SEC. 147, ACT V.)

Sec. 12-231- Authority of commissioner with reference to lighting devices

(a) The commissioner is hereby authorized to approve or disapprove lighting devices and to issue and enforce regulations establishing standards and specifications for the approval of such lighting devices, their installation, adjustment and aiming, and adjustment when in use on motor vehicles. Such regulations shall correlate with and so far as practicable, conform to the then current standards and specifications of the Society of Automotive Engineers applicable to such equipment.*

(b) The commissioner is hereby required to approve or disapprove any lighting device, of a type on which approval is specifically required in this chapter, within a reasonable time after such device has been submitted.

(c) The commissioner is further authorized to set up the procedure which shall be followed when any device is submitted for approval.*

(d) The commissioner upon approving any such lamp or device shall issue to the applicant a certificate of approval together with any instructions determined by him.

(e) The commissioner shall publish lists of all lamps and devices

*In view of the fact that the motor vehicle lighting art is a developing one, specifications are necessarily subject to revision from time to time. It follows, therefore, that while they are applicable to use in connection with regulation by State authorities having administrative powers, they are not suitable for inclusion in State laws where the requisite flexibility of revision is absent.

by name and type which have been approved by him. (PART (a) AND (e) REVISED, 1954, FROM FORMER SEC. 148, ACT V.)

Sec. 12-232 - Revocation of certificate of approval on lighting devices

When the commission has reason to believe that an approved device as being sold commercially does not comply with the requirements of this chapter, he may, after giving 30 days previous notice to the person holding the certificate of approval for such device in this State, conduct a hearing upon the question of compliance of said approved device. After said hearing the commissioner shall determine whether said approved device meets the requirements of this chapter. If said device does not meet the requirements of this chapter he shall give notice to the person holding the certificate of approval for such device in this State.

If at the expiration of 90 days after such notice the person holding the certificate of approval for such device has failed to satisfy the commissioner that said approved device as thereafter to be sold meets the requirements of this chapter, the commissioner shall suspend or revoke the approval issued therefor until or unless such device is resubmitted to and retested by an authorized testing agency and is found to meet the requirements of this chapter, and may require that all said devices sold since the notification following the hearing be replaced with devices that do comply with the requirements of this chapter. The commissioner may at the time of the retest purchase in the open market and submit to the testing agency one or more sets of such approved devices, and if such device upon such retest fails to meet the requirements of this chapter, the commissioner may refuse to renew the certificate of approval of such device.

ARTICLE III—BRAKES

Sec. 12-301 - Brakes equipment required

1. Every motor vehicle, other than a motorcycle or motor-driven cycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

2. Every motorcycle and every motor-driven cycle, when operated upon a highway, shall be equipped with at least one brake, which may be operated by hand or foot.

3. Every trailer or semitrailer of a gross weight of 3,000 pounds or more when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and as designed as to be applied by the driver of the towing motor vehicle from its cab, and said brakes shall be so designed and connected that in case of an accidental break away of the towed vehicle the brakes shall be automatically applied.

4. Every new motor vehicle, trailer or semitrailer hereafter sold in this state and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except any motor cycle or motor driven cycle, and except that any semitrailer of less than 1,500 pounds gross weight, need not be equipped with brakes.

5. One of the means of brake operation shall consist of a mechanical connection from the operating lever to the brake shoes or bands and this brake shall be capable of holding the vehicle, or combination of vehicles, stationary under any condition of loading on any up grade or down grade upon which it is operated.

6. The brake shoes operating within or upon the drums on the vehicle wheels of any motor vehicle may be used for both service and hand operation. (PAR. (6) OF FORMER SEC. 150, ACT V, WITH FORMER PAR. 5 DELETED, 1954.)

Sec. 12-302: Performance ability of brakes"

Every motor vehicle or combination of vehicles, at all times and under all conditions of loading, upon application of the service (foot) brake, shall be capable of (a) developing a braking force that is not

1 Classification of vehicles and combinations	2 Braking force as a percentage of gross vehicle or combination weight	3 Deceleration in feet per second per second	4 Brake system application and braking distance in feet
Passenger vehicles, not including buses	52.5%	17	25
Single-unit vehicles with a manufacturer's gross vehicle weight rating of less than 10,000 pounds	43.5%	14	30
Single-unit, 2-axle vehicles with a manu- facturer's gross vehicle weight rating of 10,000 or more pounds, and buses not having a manufacturer's gross vehicle weight rating	43.5%	14	40
All other vehicles and combinations with a manufacturer's gross vehicle weight rating of 10,000 or more pounds	43.5%	14	50

less than the percentage of its gross weight tabulated herein for its classification, (b) decelerating in a stop from not more than twenty miles per hour at not less than the feet per second per second tabulated herein for its classification, and (c) stopping from a speed of twenty miles per hour in not more than the distance tabulated herein for its classification, such distance to be measured from the point at which movement of the service brake pedal or control begins. Tests for deceleration and stopping distance shall be made on a substantially level (not to exceed plus or minus one per cent grade), dry, smooth, hard surface that is free from loose material. (TEXT AND TABLE REVISED, MICH. ADDED, 1956.)

Sec. 12-303-Maintenance of brakes

All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle. (P.A. (c) of MICH. SEC. 150, ACT V.)

Sec. 12-304-Brakes on motor-driven cycles

(a) The commissioner is authorized to require an inspection of the brake on any motor-driven cycle and to disapprove any such brake which he finds will not comply with the performance ability standard set forth in section 12-302, or which in his opinion is not so designed or constructed as to insure reasonable and reliable performance in actual use.

(b) The commissioner may refuse to register or may suspend or revoke the registration of any vehicle referred to in this section when

(1) There is a definite mathematical relationship between the figures in columns 1 and 2. If the decelerations set forth in column 2 are divided by 32.2 feet per second per second, the figures in column 1 will be obtained. (For example, 11 divided by 32.2 gives 340.) (Column 1 is included in the tabulation because certain brake-testing devices require this factor.)

(2) The decelerations in column 1 are an indication of the effectiveness of the basic brakes, and as a material to practical brake testing are the minimum braking decelerations obtained at some time during the stop.

The decelerations as measured in brake tests cannot be used to compute the values in column 2 because it is not maintained at the maximum rate the entire period of the stop. The deceleration increases from zero to a maximum during a period of brake-system application and brake force build-up. Also, other factors may cause the deceleration to maintain a maximum deceleration is not sustained. The added distance which results because a maximum deceleration is not sustained is included in the figures in column 2 but is not included in column 1.

(3) The same brake-testing device for computing deceleration.

(4) The figures in column 2 and the decelerations in column 1 are not directly related. The brake-system application and braking distance in feet (column 2) is a definite measure of the overall effectiveness of the braking system, being the distance traveled between the point at which the driver starts to move the brake lever and the point at which the vehicle comes to rest. It includes distance traveled while the brakes are being applied and the distance traveled while the brakes are retarding the vehicle.

(5) The distance traveled during the period of brake-system application and brake-force build-up varies with vehicle type, being negligible for many passenger cars and greater for combinations of commercial vehicles. The first column of the variation from 20 to 30 feet is the numerical values in column 1 for the various classes of vehicles.

(6) The deceleration requirement in column 2 is the same for all classifications of vehicles except for passenger vehicles, not including buses, because curves on vehicles of the second, third and fourth classifications are all capable with reasonable maintenance of producing the designated deceleration as measured by brake-testing devices. A higher deceleration requirement is warranted for passenger cars in view of Bureau of Public Roads test data.

he determines that the brake thereon does not comply with the provisions of this section.

(c) No person shall operate on any highway any vehicle referred to in this section in the event the commissioner has disapproved the brake equipment upon such vehicle or type of vehicle.

Sec. 12-305—Hydraulic brake fluid

(a) The term "hydraulic brake fluid" as used in this section shall mean the liquid medium through which force is transmitted to the brakes in the hydraulic brake system of a vehicle.

(b) Hydraulic brake fluid shall be distributed and serviced with due regard for the safety of the occupants of the vehicle and the public.

(c) The (department or official) shall, after public hearing following due notice, adopt and enforce regulations for the administration of this section and shall adopt and publish standards and specifications for hydraulic brake fluid which shall correlate with, and so far as practicable conform to, the then current standards and specifications of the Society of Automotive Engineers applicable to such fluid.

(d) No person shall distribute, have for sale, offer for sale, sell or service any vehicle with any hydraulic brake fluid unless it complies with the requirements of this section.¹ (New section, 1956.)

ARTICLE IV—OTHER EQUIPMENT

Sec. 12-401—Horns and warning devices

(a) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a highway.

(b) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle or bell, except as otherwise permitted in this section.

(c) It is permissible but not required that any commercial vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.

¹It is recommended that the administrative regulations:

1. Prohibit the sale of any brake fluid which does not meet the specifications established by the Society of Automotive Engineers for heavy-duty-type brake fluid.
2. Require that the label on the container show compliance with the SAE heavy-duty-type brake fluid specifications.

(d) Any authorized emergency vehicle may be equipped with a siren, whistle or bell, capable of emitting sound audible under normal conditions from a distance of not less than 500 feet and of a type approved by the department, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when reasonably necessary to warn pedestrians and other drivers of the approach thereof.

Sec. 12-402—Mufflers, prevention of noise

(a) Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cut out, bypass or similar device upon a motor vehicle on a highway.

(b) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

Sec. 12-403—Mirrors

On and after (date), every motor vehicle, operated singly or when towing any other vehicle, shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such motor vehicle. (Revised, 1956.)

Sec. 12-404—Windshields must be unobstructed and equipped with wipers

(a) No person shall drive any motor vehicle with any sign, poster or other nontransparent material upon the front windshield, side wings or side or rear windows of such vehicle which obstructs the driver's clear view of the highway or any intersecting highway.

(b) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

(c) Every windshield wiper upon a motor vehicle shall be maintained in good working order.

Sec. 12-405—Restrictions as to tire equipment

(a) Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least 1 inch thick above the edge of the flange of the entire periphery.

(b) No person shall operate or move on any highway any motor vehicle, trailer or semitrailer having any metal tire in contact with the roadway.

(c) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat or spike or any other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that it shall be permissible to use farm machinery with tires having protuberances which will not injure the highway, and except also that it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid.

(d) The (State highway commission) and local authorities in their respective jurisdictions may in their discretion issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this section.

Sec. 12-406. Safety glazing material in motor vehicles

(a) On and after _____ (date) no person shall sell any new motor vehicle as specified herein, nor shall any new motor vehicle as specified herein be registered thereafter unless such vehicle is equipped with safety glazing material of a type approved by the commissioner whenever glazing material is used in doors, windows and windshields. The foregoing provisions shall apply to all passenger type motor vehicles, including passenger buses and school buses, but in respect to trucks, including truck tractors, the requirements as to safety glazing material shall apply to all glazing material used in doors, windows and windshields in the drivers' compartments of such vehicles.

(b) The term "safety glazing materials" means glazing materials so constructed, treated or combined with other materials as to reduce substantially, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by these safety glazing materials when they may be cracked or broken.

(c) The commissioner shall compile and publish a list of types of glazing material by name approved by him as meeting the requirements of this section and the commissioner shall not register after _____ (date) any motor vehicle which is subject to the provisions of this section unless it is equipped with an approved type of safety glazing material, and he shall thereafter suspend the registration of

any motor vehicle so subject to this section which he finds is not so equipped until it is made to conform to the requirements of this section. (SECTION REVISED, 1952.)

Sec. 12-407 - Certain vehicles to carry flares or other warning devices

(a) No person shall operate any motor truck, passenger bus or truck tractor, or any motor vehicle towing a house trailer, upon any highway outside the corporate limits of municipalities at any time from a half hour after sunset to a half hour before sunrise unless there shall be carried in such vehicle the following equipment except as provided in paragraph (b): (PARAGRAPH AMENDED, 1956.)

1. At least three flares or three red electric lanterns or three portable red emergency reflectors, each of which shall be capable of being seen and distinguished at a distance of not less than 600 feet under normal atmospheric conditions at nighttime.

No flare, fusee, electric lantern or cloth warning flag shall be used for the purpose of compliance with the requirements of this section unless such equipment is of a type which has been submitted to the commissioner and approved by him.¹⁰ No portable reflector unit shall be used for the purpose of compliance with the requirements of this section unless it is so designed and constructed as to include two reflecting elements one above the other, each of which shall be capable of reflecting red light clearly visible from all distances within 600 feet to 100 feet under normal atmospheric conditions at night when directly in front of lawful upper beams of head lamps, and unless it is of a type which has been submitted to the commissioner and approved by him.¹¹

2. At least three red burning fusees unless red electric lanterns or red portable emergency reflectors are carried.¹²

3. At least two red cloth flags, not less than 12 inches square, with standards to support such flags.

(b) No person shall operate at the time and under conditions stated in paragraph (a) any motor vehicle used for the transportation of explosives, any cargo tank truck used for the transportation of flammable liquids or compressed gases, or any motor vehicle using compressed gas as a fuel unless there shall be carried in such vehicle three red electric lanterns or three portable red emergency reflectors meeting the requirements of paragraph (a) of this section, and there shall

¹⁰ It is recommended that the motor vehicle commissioner in each State adopt current specifications for electric lanterns and flares (liquid burning pot torches) as promulgated by the Society of Automotive Engineers.

¹¹ It is recommended that the motor vehicle commissioner in each State adopt current specifications for portable red emergency reflectors as promulgated by the Safety Section, Motor Vehicle Division, Department of Commerce, Washington.

¹² It is recommended that the motor vehicle commissioner in each State adopt current specifications for orange red burning fusees as promulgated by the Bureau of Explosives, 26 E. 22nd St., New York, N. Y.

not be carried in any said vehicle any flares, fuses or signal produced by flame. (SECTION REVISED, 1954, FROM FORMER SEC. 157, ACT V.)

Sec. 12-408. Display of warning devices when vehicle disabled

(a) Whenever any motor truck, passenger bus, truck tractor, trailer, semitrailer or pole trailer or any motor vehicle towing a house trailer, is disabled upon the traveled portion of any highway or the shoulder thereof outside of any municipality at any time when lighted lamps are required on vehicles the driver of such vehicle shall display the following warning devices upon the highway during the time the vehicle is so disabled on the highway except as provided in paragraph (b): (PARAGRAPH AMENDED, 1956.)

1. A lighted fusee, a lighted red electric lantern or a portable red emergency reflector shall be immediately placed at the traffic side of the vehicle in the direction of the nearest approaching traffic.

2. As soon thereafter as possible but in any event within the burning period of the fusee (15 minutes), the driver shall place three liquid burning flares (not torches), or three lighted red electric lanterns or three portable red emergency reflectors on the traveled portion of the highway in the following order:

(I) One, approximately 100 feet from the disabled vehicle in the center of the lane occupied by such vehicle and toward traffic approaching in that lane.

(II) One, approximately 100 feet in the opposite direction from the disabled vehicle and in the center of the traffic lane occupied by such vehicle.

(III) One at the traffic side of the disabled vehicle not less than 10 feet rearward or forward thereof in the direction of the nearest approaching traffic. If a lighted red electric lantern or a red portable emergency reflector has been placed at the traffic side of the vehicle in accordance with paragraph (1) of this section, it may be used for this purpose.

(b) Whenever any vehicle referred to in this section is disabled within 500 feet of a curve, hillcrest or other obstruction to view, the warning signal in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than 100 feet nor more than 500 feet from the disabled vehicle.

(c) Whenever any vehicle of a type referred to in this section is disabled upon any roadway of a divided highway during the time that lights are required, the appropriate warning devices prescribed in paragraphs (a) and (e) of this section shall be placed as follows:

One at a distance of approximately 200 feet from the vehicle in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane, one at a distance of approximately 100 feet from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching in that lane, one at the traffic side of the vehicle and approximately 10 feet from the vehicle in the direction of the nearest approaching traffic.

(d) Whenever any vehicle of a type referred to in this section is disabled upon the traveled portion of a highway or the shoulder thereof outside of any municipality at any time when the display of fuses, flares, red electric lanterns or portable red emergency reflectors is not required, the driver of the vehicle shall display two red flags upon the roadway in the lane of traffic occupied by the disabled vehicle, one at a distance of approximately 100 feet in advance of the vehicle, and one at a distance of approximately 100 feet to the rear of the vehicle.

(e) Whenever any motor vehicle used in the transportation of explosives or any cargo tank truck used for the transportation of any flammable liquid or compressed flammable gas, or any motor vehicle using compressed gas as a fuel, is disabled upon a highway of this State at any time or place mentioned in paragraph (a) of this section, the driver of such vehicle shall immediately display the following warning devices: one red electric lantern or portable red emergency reflector placed on the roadway at the traffic side of the vehicle, and two red electric lanterns or portable red reflectors, one placed approximately 100 feet to the front and one placed approximately 100 feet to the rear of this disabled vehicle in the center of the traffic lane occupied by such vehicle. Flares, fuses or signals produced by flame shall not be used as warning devices for disabled vehicles of the type mentioned in this paragraph.

(f) The flares, fuses, red electric lanterns, portable red emergency reflectors and flags to be displayed as required in this section shall conform with the requirements of section 12-407 applicable thereto. (SECTION REVISED, 1954, FROM FORMER SEC. 158, ACT V.)

Sec. 12-409—Vehicles transporting explosives

Any person operating any vehicle transporting any explosive as a cargo or part of a cargo upon a highway shall at all times comply with the provisions of this section.

(a) Said vehicle shall be marked or placarded on each side and the rear with the word "Explosives" in letters not less than 8 inches high, or there shall be displayed on the rear of such vehicle a red

flag not less than 24 inches square marked with the word "Danger" in white letters 6 inches high.

(b) Every said vehicle shall be equipped with not less than two fire extinguishers, filled and ready for immediate use, and placed at a convenient point on the vehicle so used.

(c) The commissioner is hereby authorized and directed to promulgate such additional regulations governing the transportation of explosives and other dangerous articles by vehicles upon the highways as he shall deem advisable for the protection of the public.¹⁰

Sec. 12-410—Air-conditioning equipment

(a) The term "air conditioning equipment" as used or referred to in this section shall mean mechanical vapor compression refrigeration equipment which is used to cool the driver's or passenger compartment of any motor vehicle.

(b) Such equipment shall be manufactured, installed and maintained with due regard for the safety of the occupants of the vehicle and the public and shall not contain any refrigerant which is toxic to persons or which is flammable.

(c) The (department or official) may adopt and enforce safety requirements, regulations and specifications consistent with the requirements of this section applicable to such equipment which shall correlate with and, so far as possible, conform to the current recommended practice or standard applicable to such equipment approved by the Society of Automotive Engineers.

(d) No person shall have for sale, offer for sale, sell or equip any motor vehicle with any such equipment unless it complies with the requirements of this section.

(e) No person shall operate on any highway any motor vehicle equipped with any air conditioning equipment unless said equipment complies with the requirements of this section. (New section, 1954.)

¹⁰ Par. (c) is recommended for adoption in those States where permissible.

ANDREW P. FEDERLINE
HIGHWAY SAFETY CONSULTANT

METROPOLITAN 8-1353

261 CONSTITUTION AVENUE, N. W.
WASHINGTON 1, D. C.

ESSO STANDARD OIL BUILDING

February 14, 1957

Mr. Einar Mohn, Vice President
International Brotherhood of Teamsters, Chauffeurs
Warehousemen and Helpers of America
25 Louisiana Avenue, N. W.
Washington 1, D. C.

Dear Mr. Mohn:

Will you kindly let me have the names, addresses (and telephone numbers if readily available) of the men in the States I should contact with reference to help in having the motor vehicle laws revised so that traffic hazard warning signals can be given when a vehicle is disabled in the traveled roadway?

There are twenty States where the Legislatures are in session now or shortly will be in session and where law revisions are desirable.

While it would be desirable to have letters of introductions to these contacts, I believe I can carry on with a letter from you listing their names and stating that they are the men to contact for the purpose indicated.

The States I will cover in my trip, starting the first of next week, and where law amendments are desirable are -

Alabama	Minnesota
Arizona	Missouri
Colorado	New Mexico
Florida	Ohio
Idaho	Oregon
Illinois	Rhode Island
Iowa	South Carolina
Kansas	Texas
Maryland	West Virginia
Michigan	Wisconsin

As stated in the article on page 17 of the January-February issue of "The Teamster", there are only two States where flashing lights for disablement signaling are prohibited. These are Colorado and Minnesota. But eighteen other States whose Legislatures are in session or will be soon have laws that while interpreted favorably now are capable of being interpreted unfavorably at any

Mr. Einar Mohn - P. 2

time in the future. It, therefore, is important to clean up this messy situation, and the only way I know to do it so as to be sure is to have their laws amended as provided for in Sections 12-220 (d) and 12-227 (c) of the Uniform Vehicle Code (shown on pages 137 and 141 of the enclosure).

I would appreciate having the list in a letter tomorrow so that I can take it away with me over the week end.

Appreciating your cooperation in this matter of mutual interest,
I am

Cordially yours,

A. B. Federline

ADMINISTRATIVE FILE ✓
Federal Equal Pay Act
X Legislation-H.R. 10536
X

84TH CONGRESS
2d Session

H. R. 10536

IN THE HOUSE OF REPRESENTATIVES

April 16, 1956

Mr. KINGS of Arizona introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce, and to provide procedures for assisting employees in collecting wages lost by reason of any such discrimination.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 *That this Act may be cited as the "Federal Equal Pay Act".*

4 FINDINGS AND DECLARATION OF POLICY

5 SEC. 2. (a) The Congress hereby finds that the exist-
6 ence in industries engaged in commerce or in the production
7 of goods for commerce of wage differentials based on sex—

1 (1) depresses wages and living standards of em-
2 ployees necessary for their health and efficiency;

3 (2) prevents the maximum utilization of the avail-
4 able labor resources;

5 (3) tends to cause labor disputes, thereby burden-
6 ing, affecting, and obstructing commerce;

7 (4) burdens commerce and the free flow of goods
8 in commerce; and

9 (5) constitutes an unfair method of competition.

10 (b) It is hereby declared to be the policy of this Act,
11 through the exercise by Congress of its power to regulate
12 commerce among the several States and with foreign nations,
13 to correct the conditions above referred to in such industries.

14 PROHIBITION OF WAGE RATE DIFFERENTIAL BASED ON SEX

15 SEC. 3. No employer having employees engaged in
16 commerce or in the production of goods for commerce shall
17 discriminate, in any place of employment in which his em-
18 ployees are so engaged, between employees on the basis of
19 sex by paying wages to any employee at a rate less than
20 the rate at which he pays wages to employees of the oppo-
21 site sex for work of comparable character on jobs the per-
22 formance of which requires comparable skills, except where
23 such payment is made pursuant to a seniority or merit in-
24 crease system which does not discriminate on the basis of
25 sex.

ADMINISTRATION

SEC. 4. (a) The Secretary—

(1) shall prescribe such regulations as he deems necessary and appropriate for the administration of this Act, including regulations to provide standards for determining work of comparable character on jobs the performance of which requires comparable skills;

(2) may investigate and gather data regarding the wages, hours, and other conditions and practices of employment in any industry subject to this Act, and may enter and inspect such places and such records (and make such transcriptions thereof), question such employees, and investigate such facts, conditions, practices, and matters as he may deem necessary or appropriate to determine whether any person has violated any provision of this Act, or which may aid in the enforcement of the provisions of this Act; and

(3) shall bring all actions under section 9 to restrain violations of this Act. Attorneys appointed by, or under the authority of, the Secretary may appear for and represent the Secretary in any litigation but all such litigation shall be subject to the direction and control of the Attorney General.

(h) For the purpose of any hearing or investigation provided for in this Act, the provisions of sections 9 and 10

1 (relating to the attendance of witnesses and the produc-
2 tion of books, papers, and documents) of the Federal Trade
3 Commission Act of September 16, 1914, as amended
4 (U. S. C., 1952 edition, title 15, secs. 49 and 50) are
5 hereby made applicable to the jurisdiction, powers, and duties
6 of the Secretary.

7 WAGE RESTITUTION AND LIQUIDATED DAMAGES

8 SEC. 5. Any employer who violates section 3 of this
9 Act shall be liable to each employee affected in the amount
10 of the wages of which such employee is deprived by reason
11 of such violation, and in an additional equal amount as liqui-
12 dated damages: *Provided*, That, in any action brought under
13 section 6 (a) to recover such unpaid wages, if the employer
14 shows to the satisfaction of the court that the act or omission
15 giving rise to such action was in good faith and that he had
16 reasonable grounds for believing that his act or omission
17 was not a violation of section 3, the court may, in its sound
18 discretion, award no liquidated damages or award any
19 amount thereof not to exceed the amount specified in this
20 section.

21 ENFORCEMENT

22 SEC. 6. (a) Action to recover any amount for which
23 an employer is liable under section 5 may be maintained
24 in any court of competent jurisdiction by any one or more
25 affected employees for and in behalf of himself or themselves

1 and other employees similarly situated. No employee shall
2 be a party plaintiff to any such action unless he has given
3 his consent in writing to become such a party and such
4 consent is filed in the court in which such action is brought.
5 The court in such action shall, in addition to any judgment
6 awarded to the plaintiff or plaintiffs, allow a reasonable
7 attorney's fee to be paid by the defendant, and costs of the
8 action.

9 (h) The Secretary is authorized to supervise the pay-
10 ment of any amounts of unpaid wages for which an employer
11 is liable under section 5, and the agreement of any employee
12 to accept such payment shall upon payment in full consti-
13 tute a waiver by such employee of any right of action he
14 may have under subsection (a) to recover such amounts
15 and any additional amount as liquidated damages. When a
16 written request is filed by any employee with the Secretary
17 claiming any amount as unpaid wages owing under section
18 5, the Secretary may bring an action in any court of com-
19 petent jurisdiction to recover such amount. The consent of
20 any employee to the bringing of any such action by the Sec-
21 retary, unless such action is dismissed without prejudice on
22 motion of the Secretary, shall constitute a waiver by such
23 employee of any right of action he may have with respect to
24 the claim and any additional amount as liquidated damages

1 under subsection (a). Any sums recovered by the Secretary
2 on behalf of an employee in an action brought under this
3 subsection shall be held in a special deposit account and
4 shall be paid, on order of the Secretary, directly to the em-
5 ployee. Any such sums not paid to an employee because of
6 inability to do so within a period of three years shall be
7 covered into the Treasury of the United States as miscella-
8 neous receipts.

9 (c) Any action commenced under this section shall be
10 barred unless commenced within two years after the cause
11 of action accrues.

12 **POSTING**

13 **SEC. 7.** A copy of this Act or, if approved by the
14 Secretary, a poster explaining its provisions shall be dis-
15 played conspicuously by every employer in each place of
16 employment in which he employs any employees to whom
17 this Act applies.

18 **UNLAWFUL DISCHARGE OR DISCRIMINATION; PENALTIES**

19 **SEC. 8. (a)** It shall be unlawful for any person to
20 discharge or in any other manner discriminate against
21 any employee because such employee has filed any complaint
22 or instituted any proceeding under this Act, or has testified
23 or is about to testify in any such proceeding, or has furnished
24 information or is about to furnish information in connection
25 with the enforcement of this Act.

(b) Any person who willfully violates the provisions of subsection (a) shall be fined not more than \$10,000 or imprisoned for not more than six months, or both; but no person shall be imprisoned under this section except for an offense committed after the conviction of such person for a prior offense under this subsection.

(c) The United States district courts, together with the District Court for the Territory of Alaska, the United States Court for the District of the Canal Zone, the District Court of the Virgin Islands, and the District Court of Guam, shall have jurisdiction of criminal proceedings for violations of this section.

INJUNCTION PROCEEDINGS

SEC. 9. The United States district courts, together with the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone, the District Court of the Virgin Islands, and the District Court of Guam, shall have jurisdiction, for cause shown, to restrain violations of section 3, section 7, or section 8, or any of the provisions of the regulations of the Secretary issued under section 4.

DEFINITIONS

SEC. 10. As used in this Act—

(a) "Secretary" means the Secretary of Labor, United States Department of Labor.

1 (b) "Person" means an individual, partnership, associa-
2 tion, corporation, business trust, legal representative, or any
3 organized group of persons.

4 (c) "Commerce" means trade, commerce, transporta-
5 tion, transmission, or communication among the several States
6 or between any State and any place outside thereof.

7 (d) "State" means any State of the United States, the
8 District of Columbia, the outer Continental Shelf described
9 in Public Law 212, Eighty-Third Congress (67 Stat. 462)
10 or any Territory or possession subject to the exercise by the
11 United States of sovereign rights, powers, or authority.

12 (e) "Employer" includes any person acting directly or
13 indirectly in the interest of an employer in relation to an
14 employee but shall not include the United States or any
15 State or political subdivision of a State, or any labor organi-
16 zation (other than when acting as an employer), or anyone
17 acting in the capacity of officer or agent of such labor
18 organization.

19 (f) "Employee" includes any individual employed by
20 an employer.

21 (g) "Employ" includes to suffer or permit to work.

22 (h) "Goods" means goods (including ships and marine
23 equipment), wares, products, commodities, merchandise, or
24 articles or subjects of commerce of any character, or any part
25 or ingredient thereof, but does not include goods after their

1 delivery into the actual physical possession of the ultimate
2 consumer thereof other than a producer, manufacturer, or
3 processor thereof.

4 (i) "Produced" means produced, manufactured, mined,
5 handled, or in any other manner worked on in any State;
6 and for the purposes of this Act an employer shall be deemed
7 to have been engaged in the production of goods if such em-
8 ployee was employed in producing, manufacturing, mining,
9 handling, transporting, or in any other manner working on
10 such goods, or in any closely related process or occupation
11 directly essential to the production thereof, in any State.

12 (j) "Wage" paid to any employee includes the reason-
13 able cost, as determined by the Secretary, to the employer
14 of furnishing such employee with board, lodging, or other
15 facilities, if such board, lodging, or other facilities are cus-
16 tomarily furnished by such employer to his employees.

17 APPROPRIATION

18 SEC. 11. There are authorized to be appropriated such
19 sums as may be necessary to carry out the provisions of this
20 Act.

21 EFFECTIVE DATE

22 SEC. 12. This Act shall take effect one hundred and
23 twenty days after the date of enactment.

84TH CONGRESS
2d Session

H. R. 10536

A BILL

To prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce, and to provide procedures for assisting employees in collecting wages lost by reason of any such discrimination.

By Mr. HENRIS of Arizona

APRIL 16, 1956
Referred to the Committee on Education and Labor

ADMINISTRATIVE FILE
Federal Equal Pay Act
X Legislation: H.R. 9837
X

84TH CONGRESS
2d Session

H. R. 9837

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1956

Mrs. FRANCES P. BOLLON introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce, and to provide procedures for assisting employees in collecting wages lost by reason of any such discrimination.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Federal Equal Pay
4 Act".

5 FINDINGS AND DECLARATION OF POLICY

6 SEC. 2. (a) The Congress hereby finds that the exist-
7 ence in industries engaged in commerce or in the production
8 of goods for commerce of wage differentials based on sex—

1 (1) depresses wages and living standards of em-
2 ployees necessary for their health and efficiency;

3 (2) prevents the maximum utilization of the avail-
4 able labor resources;

5 (3) tends to cause labor disputes, thereby burden-
6 ing, affecting, and obstructing commerce;

7 (4) burdens commerce and the free flow of goods
8 in commerce; and

9 (5) constitutes an unfair method of competition.

10 (b) It is hereby declared to be the policy of this Act,
11 through the exercise by Congress of its power to regulate
12 commerce among the several States and with foreign nations,
13 to correct the conditions above referred to in such industries.

14 PROHIBITION OF WAGE RATE DIFFERENTIAL BASED ON SEX

15 Sec. 3. No employer having employees engaged in
16 commerce or in the production of goods for commerce shall
17 discriminate, in any place of employment in which his
18 employees are so engaged, between employees on the basis
19 of sex by paying wages to any employee at a rate less than
20 the rate at which he pays wages to employees of the op-
21 posite sex for work of comparable character on jobs the
22 performance of which requires comparable skills, except
23 where such payment is made pursuant to a seniority or merit
24 increase system which does not discriminate on the basis
25 of sex.

ADMINISTRATION

Sec. 4. (a) The Secretary—

(1) shall prescribe such regulations as he deems necessary and appropriate for the administration of this Act, including regulations to provide standards for determining work of comparable character on jobs the performance of which requires comparable skills;

(2) may investigate and gather data regarding the wages, hours, and other conditions and practices of employment in any industry subject to this Act, and may enter and inspect such places and such records (and make such transcriptions thereof), question such employees, and investigate such facts, conditions, practices, and matters as he may deem necessary or appropriate to determine whether any person has violated any provision of this Act, or which may aid in the enforcement of the provisions of this Act; and

(3) shall bring all actions under section 9 to restrain violations of this Act. Attorneys appointed by, or under the authority of, the Secretary may appear for and represent the Secretary in any litigation but all such litigation shall be subject to the direction and control of the Attorney General.

(b) For the purpose of any hearing or investigation provided for in this Act, the provisions of sections 5 and 10

1 (relating to the attendance of witnesses and the production
 2 of books, papers, and documents) of the Federal Trade
 3 Commission Act of September 16, 1914, as amended
 4 (U. S. C., 1952 edition, title 15, secs. 49 and 50), are
 5 hereby made applicable to the jurisdiction, powers, and duties
 6 of the Secretary.

7 WAGE RESTITUTION AND LIQUIDATED DAMAGES

8 SEC. 5. Any employer who violates section 3 of this Act
 9 shall be liable to each employee affected in the amount of
 10 the wages of which such employee is deprived by reason of
 11 such violation, and in an additional equal amount as liqui-
 12 dated damages: *Provided*, That, in any action brought under
 13 section 6 (a) to recover such unpaid wages, if the employer
 14 shows to the satisfaction of the court that the act or omission
 15 giving rise to such action was in good faith and that he had
 16 reasonable grounds for believing that his act or omission
 17 was not a violation of section 3, the court may, in its sound
 18 discretion, award no liquidated damages or award any amount
 19 thereof not to exceed the amount specified in this section.

20 ENFORCEMENT

21 SEC. 6. (a) Action to recover any amount for which
 22 an employer is liable under section 5 may be maintained in
 23 any court of competent jurisdiction by any one or more
 24 affected employees for and in behalf of himself or themselves
 25 and other employees similarly situated. No employee shall

1 be a party plaintiff to any such action unless he has given his
2 consent in writing to become such a party and such consent
3 is filed in the court in which such action is brought. The
4 court in such action shall, in addition to any judgment
5 awarded to the plaintiff or plaintiffs, allow a reasonable at-
6 torney's fee to be paid by the defendant, and costs of the
7 action.

8 (b) The Secretary is authorized to supervise the pay-
9 ment of any amounts of unpaid wages for which an em-
10 ployer is liable under section 5, and the agreement of any
11 employee to accept such payment shall upon payment in
12 full constitute a waiver by such employee of any right of
13 action he may have under subsection (a) to recover such
14 amounts and any additional amount as liquidated damages.
15 When a written request is filed by any employee with the
16 Secretary claiming any amount as unpaid wages owing under
17 section 5, the Secretary may bring an action in any court
18 of competent jurisdiction to recover such amount. The con-
19 sent of any employee to the bringing of any such action
20 by the Secretary, unless such action is dismissed without
21 prejudice on motion of the Secretary, shall constitute a
22 waiver by such employee of any right of action he may
23 have with respect to the claim and any additional amount
24 as liquidated damages under subsection (a). Any sums

1 recovered by the Secretary on behalf of an employee in
 2 an action brought under this subsection shall be held in a
 3 special deposit account and shall be paid, on order of the
 4 Secretary, directly to the employee. Any such sums not
 5 paid to an employee because of inability to do so within a
 6 period of three years shall be covered into the Treasury of
 7 the United States as miscellaneous receipts.

8 (c) Any action commenced under this section shall be
 9 barred unless commenced within two years after the cause
 10 of action accrues.

11 POSTING

12 SEC. 7. A copy of this Act or, if approved by the Secre-
 13 tary, a poster explaining its provisions shall be displayed
 14 conspicuously by every employer in each place of employ-
 15 ment in which he employs any employees to whom this
 16 Act applies.

17 UNLAWFUL DISCHARGE OR DISCRIMINATION: PENALTIES

18 SEC. 8. (a) It shall be unlawful for any person to dis-
 19 charge or in any other manner discriminate against any em-
 20 ployee because such employee has filed any complaint or
 21 instituted any proceeding under this Act, or has testified
 22 or is about to testify in any such proceeding, or has furnished
 23 information or is about to furnish information in connection
 24 with the enforcement of this Act.

25 (b) Any person who willfully violates the provisions of

1 subsection (a) shall be fined not more than \$10,000 or
 2 imprisoned for not more than six months, or both; but no
 3 person shall be imprisoned under this section except for an
 4 offense committed after the conviction of such person for a
 5 prior offense under this subsection.

6 (e) The United States district courts, together with
 7 the District Court for the Territory of Alaska, the United
 8 States Court for the District of the Canal Zone, the District
 9 Court of the Virgin Islands, and the District Court of Guam,
 10 shall have jurisdiction of criminal proceedings for violations
 11 of this section.

12 INJUNCTION PROCEEDINGS

13 SEC. 9. The United States district courts, together with
 14 the District Court for the Territory of Alaska, the United
 15 States District Court for the District of the Canal Zone, the
 16 District Court of the Virgin Islands, and the District Court
 17 of Guam, shall have jurisdiction, for cause shown, to restrain
 18 violations of section 3, section 7, or section 8, or any of the
 19 provisions of the regulations of the Secretary issued under
 20 section 4.

21 DEFINITIONS

22 SEC. 10. As used in this Act—

23 (a) "Secretary" means the Secretary of Labor, United
 24 States Department of Labor.

25 (b) "Person" means an individual, partnership, asso-

1 ciation, corporation, business trust, legal representative, or
2 any organized group of persons.

3 (c) "Commerce" means trade, commerce, transporta-
4 tion, transmission, or communication among the several
5 States or between any State and any place outside thereof.

6 (d) "State" means any State of the United States, the
7 District of Columbia, the outer Continental Shelf described in
8 Public Law 212, Eighty-Third Congress (67 Stat. 462) or
9 any Territory or possession subject to the exercise by the
10 United States of sovereign rights, powers, or authority.

11 (e) "Employer" includes any person acting directly or
12 indirectly in the interest of an employer in relation to an
13 employee but shall not include the United States or any
14 State or political subdivision of a State, or any labor or-
15 ganization (other than when acting as an employer), or
16 anyone acting in the capacity of officer or agent of such
17 labor organization.

18 (f) "Employee" includes any individual employed by
19 an employer.

20 (g) "Employ" includes to suffer or permit to work.

21 (h) "Goods" means goods (including ships and marine
22 equipment), wares, products, commodities, merchandise, or
23 articles or subjects of commerce of any character, or any part
24 or ingredient thereof, but does not include goods after their

1 delivery into the actual physical possession of the ultimate
2 consumer thereof other than a producer, manufacturer, or
3 processor thereof.

4 (i) "Produced" means produced, manufactured, mined,
5 landed, or in any other manner worked on in any State;
6 and for the purposes of this Act an employer shall be deemed
7 to have been engaged in the production of goods if such
8 employee was employed in producing, manufacturing, min-
9 ing, handling, transporting, or in any other manner working
10 on such goods, or in any closely related process or occupa-
11 tion directly essential to the production thereof, in any State.

12 (j) "Wage" paid to any employee includes the reason-
13 able cost, as determined by the Secretary to the employer
14 of furnishing such employee with board, lodging, or other
15 facilities, if such board, lodging, or other facilities are custo-
16 marily furnished by such employer to his employees.

17 APPROPRIATION

18 SEC. 11. There are authorized to be appropriated such
19 sums as may be necessary to carry out the provisions of this
20 Act.

21 EFFECTIVE DATE

22 SEC. 12. This Act shall take effect one hundred and
23 twenty days after the date of enactment.

84TH CONGRESS
2d Session

H. R. 9837

A BILL

To prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce, and to provide procedures for assisting employees in collecting wages lost by reason of any such discrimination.

By Mrs. FRANCES P. BOLTON

MARCH 8, 1956

Referred to the Committee on Education and Labor

ADMINISTRATIVE FILE
Federal Equal Pay Act
X Legislation S. 3352

81st CONGRESS
2d Session

S. 3352

IN THE SENATE OF THE UNITED STATES

March 5 (legislative day, March 2), 1956

Mr. IVER (for himself, Mr. ARLAND, Mr. BENDER, Mr. PETERL, Mr. TOSHI, and Mr. TAYLOR) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce, and to provide procedures for assisting employees in collecting wages lost by reason of any such discrimination.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Federal Equal Pay Act".

4 **FINDINGS AND DECLARATION OF POLICY**

5 SEC. 2. (a) The Congress hereby finds that the exist-
6 ence in industries engaged in commerce or in the production
7 of goods for commerce of wage differentials based on sex—

1 (1) depresses wages and living standards of em-
2 ployees necessary for their health and efficiency;

3 (2) prevents the maximum utilization of the avail-
4 able labor resources;

5 (3) tends to cause labor disputes, thereby burden-
6 ing, affecting, and obstructing commerce;

7 (4) burdens commerce and the free flow of goods
8 in commerce;

9 (5) constitutes an unfair method of competition.

10 (b) It is hereby declared to be the policy of this Act,
11 through the exercise by Congress of its power to regulate
12 commerce among the several States and with foreign nations,
13 to correct the conditions above referred to in such
14 industries.

15 PROHIBITION OF WAGE RATE DIFFERENTIAL BASED ON SEX

16 Sec. 5. No employer having employees engaged in
17 commerce or in the production of goods for commerce shall
18 discriminate, in any place of employment in which his
19 employees are so engaged, between employees on the basis
20 of sex by paying wages to any employee at a rate less than
21 the rate at which he pays wages to employees of the opposite
22 sex for work of comparable character on jobs the performance of which requires comparable skills, except where such
23 payment is made pursuant to a seniority or merit increase
24 system which does not discriminate on the basis of sex.
25

ADMINISTRATION

SEC. 4. (a) The Secretary—

(1) shall prescribe such regulations as he deems necessary and appropriate for the administration of this Act, including regulations to provide standards for determining work of comparable character on jobs the performance of which requires comparable skills; and

(2) may investigate and gather data regarding the wages, hours, and other conditions and practices of employment in any industry subject to this Act, and may enter and inspect such places and such records (and make such transcriptions thereof), question such employees, and investigate such facts, conditions, practices, and matters as he may deem necessary or appropriate to determine whether any person has violated any provision of this Act, or which may aid in the enforcement of the provisions of this Act; and

(3) shall bring all actions under section 9 to restrain violations of this Act. Attorneys appointed by, or under the authority of, the Secretary may appear for and represent the Secretary in any litigation but all such litigation shall be subject to the direction and control of the Attorney General.

(b) For the purpose of any hearing or investigation provided for in this Act, the provisions of sections 9 and

1 10 (relating to the attendance of witnesses and the produc-
 2 tion of books, papers, and documents) of the Federal Trade
 3 Commission Act of September 16, 1914, as amended
 4 (U. S. C., 1952 edition, title 15, secs. 49 and 50), are
 5 hereby made applicable to the jurisdiction, powers, and
 6 duties of the Secretary.

7 WAGE RESTITUTION AND LIQUIDATED DAMAGES

8 SEC. 5. Any employer who violates section 3 of this
 9 Act shall be liable to each employee affected in the amount
 10 of the wages of which such employee is deprived by reason
 11 of such violation, and in an additional equal amount as liqui-
 12 dated damages: *Provided*, That in any action brought under
 13 section 6 (a) to recover such unpaid wages, if the employer
 14 shows to the satisfaction of the court that the act or omission
 15 giving rise to such action was in good faith and that he had
 16 reasonable grounds for believing that his act or omission
 17 was not a violation of section 3, the court may, in its sound
 18 discretion, award no liquidated damages or award any amount
 19 thereof not to exceed the amount specified in this section.

20 ENFORCEMENT

21 SEC. 6. (a) Action to recover any amount for which an
 22 employer is liable under section 5 may be maintained in any
 23 court of competent jurisdiction by any one or more affected
 24 employees for and in behalf of himself or themselves and
 25 other employees similarly situated. No employee shall be

1 a party plaintiff to any such action unless he has given his
2 consent in writing to become such a party and such consent
3 is filed in the court in which such action is brought. The
4 court in such action shall, in addition to any judgment
5 awarded to the plaintiff or plaintiffs, allow a reasonable
6 attorney's fee to be paid by the defendant, and costs of the
7 action.

8 (b) The Secretary is authorized to supervise the pay-
9 ment of any amounts of unpaid wages for which an employer
10 is liable under section 5, and the agreement of any employee
11 to accept such payment shall upon payment in full constitute
12 a waiver by such employee of any right of action he may
13 have under subsection (a) to recover such amounts and
14 any additional amount as liquidated damages. When a
15 written request is filed by any employee with the Secre-
16 tary claiming any amount as unpaid wages owing under
17 section 5, the Secretary may bring an action in any court of
18 competent jurisdiction to recover such amount. The consent
19 of any employee to the bringing of any such action by the
20 Secretary, unless such action is dismissed without prejudice
21 on motion of the Secretary, shall constitute a waiver by
22 such employee of any right of action he may have with
23 respect to the claim and any additional amount as liquidated
24 damages under subsection (a). Any sums recovered by the

1 Secretary on behalf of an employee in an action brought
 2 under this subsection shall be held in a special deposit account
 3 and shall be paid, on order of the Secretary, directly to the
 4 employee. Any such sums not paid to an employee because
 5 of inability to do so within a period of three years shall be
 6 covered into the Treasury of the United States as miscel-
 7 laneous receipts.

8 (c) Any action commenced under this section shall be
 9 barred unless commenced within two years after the cause
 10 of action accrues.

11 POSTING

12 SEC. 7. A copy of this Act or, if approved by the Sec-
 13 retary, a poster explaining its provisions shall be displayed
 14 conspicuously by every employer in each place of employ-
 15 ment in which he employs any employees to whom this
 16 Act applies.

17 UNLAWFUL DISCHARGE OR DISCRIMINATION; PENALTIES

18 SEC. 8. (a) It shall be unlawful for any person to dis-
 19 charge or in any other manner discriminate against any
 20 employee because such employee has filed any complaint or
 21 instituted any proceeding under this Act, or has testified or
 22 is about to testify in any such proceeding, or has furnished
 23 information or is about to furnish information in connection
 24 with the enforcement of this Act.

25 (b) Any person who wilfully violates the provisions of

subsection (a) shall be fined not more than \$10,000 or im-
 prisoned for not more than six months, or both; but no
 person shall be imprisoned under this section except for an
 offense committed after the conviction of such person for
 a prior offense under this subsection.

(c) The United States district courts, together with the
 District Court for the Territory of Alaska, the United States
 District Court for the District of the Canal Zone, the District
 Court of the Virgin Islands, and the District Court of Guam,
 shall have jurisdiction of criminal proceedings for violations
 of this section.

INJUNCTION PROCEEDINGS

SEC. 9. The United States district courts together with
 the District Court for the Territory of Alaska, the United
 States District Court for the District of the Canal Zone, the
 District Court of the Virgin Islands, and the District Court
 of Guam, shall have jurisdiction, for cause shown, to restrain
 violations of section 3, section 7, or section 8, or any of the
 provisions of the regulations of the Secretary issued under
 section 4.

DEFINITIONS

SEC. 10. As used in this Act—
 (a) "Secretary" means the Secretary of Labor, United
 States Department of Labor.

(b) "Person" means an individual, partnership, asso-

1 ciation, corporation, business trust, legal representative, or
2 any organized group of persons.

3 (c) "Commerce" means trade, commerce, transporta-
4 tion, transmission, or communication among the several
5 States or between any State and any place outside thereof.

6 (d) "State" means any State of the United States, the
7 District of Columbia, the outer Continental Shelf described
8 in Public Law 212, Eighty-third Congress (67 Stat. 462)
9 or any Territory or possession subject to the exercise by
10 the United States of sovereign rights, powers or authority.

11 (e) "Employer" includes any person acting directly or
12 indirectly in the interest of an employer in relation to an
13 employee but shall not include the United States or any
14 State or political subdivision of a State, or any labor organi-
15 zation (other than when acting as an employer), or anyone
16 acting in the capacity of officer or agent of such labor
17 organization.

18 (f) "Employee" includes any individual employed by
19 an employer.

20 (g) "Employ" includes to suffer or permit to work.

21 (h) "Goods" means goods (including ships and marine
22 equipment), wares, products, commodities, merchandise, or
23 articles or subjects of commerce of any character, or any
24 part or ingredient thereof, but does not include goods after
25 their delivery into the actual physical possession of the ulti-

1 mate consumer thereof other than a producer, manufacturer,
2 or processor thereof.

3 (i) "Produced" means produced, manufactured, mined,
4 handled, or in any other manner worked on in any State;
5 and for the purposes of this Act an employer shall be deemed
6 to have been engaged in the production of goods if such
7 employee was employed in producing, manufacturing, min-
8 ing, handling, transporting, or in any other manner working
9 on such goods, or in any closely related process or occupation
10 directly essential to the production thereof, in any State.

11 (j) "Wage" paid to any employee includes the rea-
12 sonable cost, as determined by the Secretary to the employer
13 of furnishing such employee with board, lodging, or other
14 facilities, if such board, lodging, or other facilities are cus-
15 tomarily furnished by such employer to his employees.

16 APPROPRIATION

17 SEC. 11. There are authorized to be appropriated such
18 sums as may be necessary to carry out the provisions of
19 this Act.

20 EFFECTIVE DATE

21 SEC. 12. This Act shall take effect one hundred and
22 twenty days after the date of enactment.

64TH CONGRESS
2D SESSION

S. 3352

A BILL

To prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce, and to provide procedures for assisting employees in collecting wages lost by reason of any such discrimination.

By Mr. Ives, Mr. Aldott, Mr. Bender, Mr. Pettit, Mr. Bush, and Mr. Payne.

MARCH 5 (legislative day, MARCH 2), 1936
Read twice and referred to the Committee on Labor and Public Welfare

✓ ADMINISTRATIVE FILE
Federal Highway Administration
X Legislation-3 4164
X

84th CONGRESS
2d Session

S. 4164

IN THE SENATE OF THE UNITED STATES

JULY 3, 1956

Mr. CARLSON introduced the following bill; which was read twice and referred to the Committee on Post Office and Civil Service

A BILL

To provide for the appointment of a Federal Highway Administrator in the Bureau of Public Roads, one additional Assistant Secretary of Commerce, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, notwithstanding any other provision of law, order, or
4 regulation, the head of the Bureau of Public Roads in the
5 Department of Commerce shall be a Federal Highway
6 Administrator appointed by the President by and with the
7 advice and consent of the Senate. The Administrator shall
8 receive basic compensation at the rate prescribed by law for
9 Assistant Secretaries of executive departments and shall per-

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1 form such duties as the Secretary of Commerce may pre-
2 scribe or as may be required by law.

3 SEC. 2. The term "Commissioner of Public Roads", as
4 used in all laws, orders, and regulations, shall be deemed to
5 mean "Federal Highway Administrator" on and after the
6 date of enactment of this Act.

7 SEC. 3. Notwithstanding the provisions of section 2
8 hereof, there shall be a Commissioner of Public Roads in
9 the Bureau of Public Roads who shall be appointed by the
10 Secretary of Commerce, and perform such duties as may
11 be prescribed by the Federal Highway Administrator. The
12 position of Commissioner shall be in GS-18 of the General
13 Schedule established by the Classification Act of 1949.

14 SEC. 4. There shall be hereafter in the Department of
15 Commerce, in addition to the Assistant Secretaries now pro-
16 vided for by law, one additional Assistant Secretary of Com-
17 merce, who shall be appointed by the President by and
18 with the advice and consent of the Senate, and who shall be
19 subject in all respects to the provisions of the Act of July
20 15, 1947 (61 Stat. 526), as amended (5 U. S. C. 592a)
21 relating to Assistant Secretaries of Commerce.

84TH CONGRESS
2d Session

S. 4164

A BILL

To provide for the appointment of a Federal Highway Administrator in the Bureau of Public Roads, one additional Assistant Secretary of Commerce, and for other purposes.

By Mr. CAMERON

JULY 3, 1956

Read twice and referred to the Committee on Post Office and Civil Service

ADMINISTRATIVE FILE
Federal Reserve Bank
of Kansas City

May 28, 1956

C
O
P
Y

Research Department
Federal Reserve Bank of Kansas City
Kansas City 8, Mo.

MONTHLY REVIEW regularly.

Kindly add my name to your mailing list.

PRICE AND THE LAW*

Albert S. Seidman
Attorney in Charge, New York Office
Federal Trade Commission
New York, New York

Preoccupation with the prevention of monopolies, restraints of trade, and their attendant abuses is neither a recent nor a uniquely American phenomenon. Nevertheless, though we find monopoly attacked in edicts of Emperor Zeno in the fifth century and again in the English statutes of the Elizabethan era, it is only here in America that we have made a free, dynamic, and competitive economy the very cornerstone not only of our industrial supremacy but also of our political and social structure.

In the latter part of the nineteenth century, concentration in the fields of manufacturing and transportation reached a point where our citizens were threatened with, to quote the late Chief Justice Stone, "danger from another kind of slavery . . . the slavery that would result from the aggregation of capital in the hands of a few individuals and corporations controlling, for their own profit and advantage exclusively, the entire business of the country, including the production and sale of the necessities of life." Congress responded by passing the Sherman Act in 1890. In essence, the law declares illegal every contract, combination, or conspiracy in restraint of trade or commerce and monopoly or attempts to monopolize trade. It also provides the Government with both civil and criminal sanctions to employ against violators and grants to the victims of such practices the right to recover their damages threefold.

The Sherman Act

With relation to pricing practices, the most obvious effect of the Sherman Act is to declare illegal any agreement among competitors concerning the prices at which they will sell their respective products. In order to violate the law, such an agreement does not have to be one to sell at identical prices. Agreements that specify that participants will not reduce prices below an established minimum or that fixed differentials in price will be maintained as between contracting parties are likewise condemned. It is the law's purpose to prohibit agreements of understandings which create an artificial rigidity of price, one designed to prevent prices from being fully responsive to the natural forces of a free competitive economy.

*The views expressed are those of the author and do not necessarily reflect official views of the Federal Trade Commission.

At one time it was not unusual to find such agreements reduced to writing. The modern, more sophisticated business man colludes in more subtle fashion. Price information may be exchanged through a trade association, whose minutes are carefully edited by its counsel. There may be a "gentleman's agreement" among the members of the association that price lists filed with it will not be changed without prior notification to the association. Less formally, agreements may be reached on the golf course or at the cocktail bar, where (if we are to give full faith and credit to the deductions claimed on income tax returns) so much of this country's business seems to be conducted. It makes no difference how or where the agreement is reached. Once it is established that there has been a meeting of the minds that prices will not be changed or will be held at or above a certain level, the participants are in direct and basic violation of the Sherman Antitrust Law.

This statute remains today at the foundation of our national antitrust policy. However, 24 years of attempted enforcement only demonstrated the need for supplementary legislation. The original statute provided no weapons for preventing monopoly in its incipient stage or for protecting victims of monopoly before their economic life had been destroyed.

The Clayton Act

In 1914 Congress, in response to a message from President Wilson, passed the Clayton Act. Section 2 of that Act declared discrimination in price to be illegal. This section was inserted especially in order to prevent territorial price discrimination, a practice by which a large national producer with extensive financial reserves could reduce prices in areas where local competition showed signs of developing strength and, at the same time, more than offset any loss involved by enjoyment of monopoly prices in other areas. This strategy was most effective since the smaller firm often had to reduce prices to a point below cost throughout the territory served by it while its larger rival could still operate profitably.

As originally drawn, Section 2 of the Clayton Act did not prove to be as effective as its authors intended. Its application was limited through judicial interpretation. For example, the statute made discriminations in price unlawful "where the effect of such discrimination may be to substantially lessen competition or tend to create a monopoly in any line of commerce." The courts held that in order to establish a violation, it was necessary to prove a tendency to restrain trade or create a monopoly in the entire line of commerce in which the seller was engaged. Therefore, a violation did not occur where it could be shown that the discrimination resulted in injury to

individual competitors only without threatening ultimate monopoly or where it could be demonstrated that the resulting monopoly or restraint was in the line of commerce of the customers rather than the seller. Further, the law contained the proviso that "nothing herein contained shall prevent discrimination in price between purchasers of commodities on account of difference in the grade, quality, or quantity of the commodity sold or that makes only due allowance for differences in the cost of selling or transportation." Thus, in order to establish a violation, it was necessary to show that the customers involved purchased identical quantities. If they did not, the fact that the difference in quantity did not produce any cost justification for the price differential was of no consequence.

The Robinson Patman Act

With the astounding growth of mass-distribution outlets, a condition was reached in the mid-thirties where the large purchaser was able to exert such economic pressure that the seller was forced, through price concessions, to subsidize the very practices which were succeeding in destroying the independent retailer. A study made by the Federal Trade Commission at the direction of Congress demonstrated that chain stores were receiving price concessions. Some were open ones, given to large purchasers but wholly unjustified by any savings in cost to the seller. Others were concealed in the form of brokerage fees, advertising allowances, and preferential services and facilities. As a result, Congress in 1936 amended Section 2 of the Clayton Act by the passage of the Robinson-Patman Act. It is this statute which most directly affects the pricing of products today.

The basic provision is found in Section 2(a), which prohibits price differentials for commodities of like grade and quality where one of the purchases is in interstate commerce and where the effect of the difference in price may be to injure, destroy, or prevent competition; create a monopoly; or restrain trade in the line of commerce in which the seller is engaged, the line of commerce in which the buyer is engaged, or the line of commerce in which customers of either of them are engaged. Thus, a prima facie violation occurs when there exists (1) a difference in the prices charged to two customers; (2) a difference in price for a commodity of like grade and quality; or (3) a difference which has the tendency, capacity, or actual effect of injuring, destroying, or preventing competition. Such a price difference can be justified under the statute, but the burden of justification rests upon the person charged with the violation.

The defenses provided in the statute are that (1) the difference in price must merely reflect actual differences in the cost of manufacture, sale, or delivery arising from the differing quantities or methods of purchase; (2) the lower price be made in good faith to meet an equally low price of a competitor; or (3) the price difference must result from a price change responsive to changing conditions affecting the market for the goods concerned or their marketability. Such conditions are the threatened obsolescence of seasonal goods, the deterioration of perishable goods, liquidation sales of distressed merchandise, or other abnormal conditions.

Specific Pitfalls in Pricing

The manufacturer undertaking to establish a sound pricing policy must first determine what his method of distribution is going to be. Is he going to sell through wholesale distributors? Is he going to sell directly to retailers? Or is he going to sell to both?

Where his decision is to sell to only one class of buyer and thus to undertake but one distribution function, the foundation of a sound pricing plan is a uniform price to all customers. Upon that foundation he may provide for price differentials based upon variations in the size of individual orders for single shipment and delivery to one customer. However, such differences must be offered to all customers, and the seller must be able to assume successfully the burden of showing that the difference in price reflects no more than the actual difference in the cost of manufacture, sale, or delivery resulting from such variations in size.

Many sellers like to offer what is, in effect, an incentive plan by providing a graduated scale of discounts or rebates based upon cumulative purchases over a period of time. They have been offered in some instances to individual customers and on other occasions to corporate or other chains and are computed upon the aggregate of purchases of all the units. On still other occasions they have been granted to loosely organized buying groups of otherwise independent firms joined together for the sole purpose of obtaining the maximum discount or rebate. Such plans are extremely vulnerable under the provisions of the Robinson-Patman Act and have been the subject of many Commission proceedings. Most recently a series of cases was brought to a successful conclusion in the automotive replacement-part industry.

To say the least, they present almost insurmountable difficulties from the standpoint of cost justification. By way of illustration, when we have one customer who at the start of a season places one firm order for delivery

on a single date of \$50,000 worth of a given commodity and another whose purchases in the course of a year total \$100,000 but result from 50 calls by salesmen and 50 separate orders (each of which has to be separately processed and billed), the cost of sale and delivery per dollar of sales would be less to the first customer. Nevertheless, under a cumulative-discount or rebate plan, the second customer would enjoy a price advantage. It was to prevent such inequities that the Robinson-Patman Act was passed.

Where a manufacturer elects to establish a dual system of distribution by selling both to wholesalers and direct to retailers, he may encounter further difficulties. Normally, his price to the wholesaler must be less than it is to the retail customer, because the wholesaler must cover his expenses of warehousing, shipping, and selling and still be in a position to offer merchandise to the retailer at the same price or at one not greatly in excess of the price charged by the manufacturer to his retailer customers.

The Robinson-Patman Act neither sanctions nor condemns the so-called functional discount to the wholesaler. Assuming an absence of cost justification, the test of legality of such a price differential is its competitive effect. If the wholesaler is solely engaged in the resale of the commodity to retailers and if the retailers are engaged exclusively in the sale to consumers, then, assuming all wholesalers purchase at the same discount and the cost to all retailers is the same, the discount extended to wholesalers would not have an adverse competitive effect and would therefore be legal.

Where the line of demarcation between the distribution functions of the two classes of customers is less clearly defined so that there are areas in which the so-called wholesaler sells direct to the consumer or where the so-called retailer actually resells to other retailers, then the likelihood exists that the difference in price will have a tendency and capacity to injure competition and thus be illegal. Illustrative of this point is the order of the Federal Trade Commission issued against Ruberoid Company and affirmed by the United States Supreme Court. In the sale of roofing materials, Ruberoid classified its customers as wholesalers, retailers, and contractors. The Commission found that the customers classified as wholesalers were allowed extra discounts and competed with others classified as contractors. The Commission therefore ordered Ruberoid to cease and desist from discriminating in price as between customers "who, in fact, compete," and this language was upheld by the court.

The Robinson-Patman amendment also attempts to close the loophole through which indirect price discriminations had managed to elude the prohibitions imposed by the original Section 2 of the Clayton Act. In a study of chain stores, the Federal Trade Commission found that the large grocery chains had required packers of canned goods to pay to their salaried purchasing agents the same brokerage fee normally paid by such packers to independent brokers negotiating the sale of canned goods on behalf of the packer. The proceeds were, of course, turned over by the purchasing agents to their principals.

Section 2(c) of the Robinson-Patman Act, in practical effect, makes illegal the payment by the seller -- to the buyer, the buyer's agent, or anyone acting in behalf of the buyer or under his control -- of a brokerage fee or commission, or a discount in lieu thereof, in connection with the buyer's own purchases.

After the passage of this section, one of the chain stores turned to the packers and said, "Under this section you can no longer pay our employee a brokerage fee. Therefore, you are now saving that amount. Consequently, you must charge us a net price equivalent to the market price, less the brokerage formerly paid." The Federal Trade Commission held that a net price arrived at in this fashion represented a discount in lieu of brokerage and was in violation of Section 2(c). This decision was also upheld by the courts.

In a recent case, a furniture manufacturer attempted to defend a lower price of 5 per cent to so-called jobbers on the ground that he paid his salesmen a commission of 6 per cent on sales to others but only 3 per cent on accounts so classified. The Commission held that to the extent that the lower price was based upon the reduced rate of commission, there was a passing on of commission by the seller to the buyer in violation of Section 2(c).

Sections 2(d) and 2(e) also attempt to prevent the employment of subterfuge to disguise price discriminations and avoid the prohibitions of the basic statute. The law recognizes the value of cooperation in furnishing point-of-sale advertising and promotional services. It requires, however, that the seller desiring to compensate one customer for such services must afford to all competing customers the opportunity to provide similar services and to receive payment for them on proportionally equal terms. Where a seller furnishes a customer with services or facilities connected with the processing, handling, or sale of a commodity, he must also accord them to all purchasers on proportionally equal terms.

In marketing a product, the seller may be concerned not only with the price charged but with the image created for the product in the mind of the ultimate consumer. This may lead some to ascribe to the product a so-called list price grossly in excess of the usual and customary price at which it is sold at retail.

Under the provisions of Section 5 of the Federal Trade Commission Act, a retailer who employs fictitious comparative prices or value claims in his advertising violates the law. The manufacturer who aids and abets the retailer in such a practice by lending his prestige to create an atmosphere of authenticity through pre-ticketing merchandise with fictitious and unrealistic prices is equally guilty.

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AMA Management Report Number 66
"Pricing: The Critical Decision"
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✓ LEGISLATIVE FILE
Federal Trade Commission Act
Legislation - H.R. 10314

84th CONGRESS
2d Session

H. R. 10314

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 1956

Mr. MULLER introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

A BILL

To amend the Federal Trade Commission Act with respect to certain contracts and agreements between manufacturers of motor vehicles and their franchised dealers, to permit the establishment of exclusive representation by dealers and to restrict franchised dealers from reselling to certain unauthorized persons, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 5 (a) of the Federal Trade Commission Act
4 (15 U. S. C. 45 (a)) is amended by adding at the end
5 of said section 5 (a) the following new subsections:
6 “(7) Nothing contained in this Act or in any other
7 law shall render unlawful any contract or agreement between

1 a manufacturer and a franchised dealer in which such
2 manufacturer agrees that such franchised dealer shall have
3 the sole and exclusive right to sell in a specified geographical
4 area and/or for a specific period of time a new or used
5 motor vehicle produced or distributed by said manufacturer.

6 "(8) Nothing contained in this Act or in any other
7 law shall render unlawful any contract or agreement between
8 a manufacturer and a franchised dealer in which such dealer
9 agrees to sell only within a designated geographical area and
10 to refrain from selling outside said area any new or used
11 motor vehicle produced, assembled, or distributed by said
12 manufacturer.

13 "(9) Nothing contained in this Act or in any other law
14 shall render unlawful any contract or agreement between a
15 manufacturer and a franchised dealer in which such dealer
16 agrees not to resell, either directly or indirectly, any current
17 model motor vehicle made by such manufacturer, to any
18 person, partnership, corporation, or other entity engaged in
19 the business of selling new or used motor vehicles other than
20 a person or entity operating under a franchise or authorized
21 dealer agreement with such manufacturer.

22 "(10) Nothing contained in this Act or in any other
23 law shall make it unlawful for a manufacturer of motor ve-
24 hicles to enforce any agreement authorized by subsection
25 (9) by refusing to sell to, or canceling the franchise of,

1 any dealer who knowingly engages in the sale of a motor
2 vehicle of current model made by such manufacturer to any
3 person, partnership, corporation, or other entity engaged in
4 the business of selling new or used motor vehicles other
5 than a person or entity operating under a franchise or au-
6 thorized dealer agreement with such manufacturer."

AMERICAN
H. R. 10314

V BILT

84TH CONGRESS
2d Session

H. R. 10314

A BILL

To amend the Federal Trade Commission Act with respect to certain contracts and agreements between manufacturers of motor vehicles and their franchised dealers, to permit the establishment of exclusive representation by dealers, and to restrict franchised dealers from reselling to certain unauthorized persons, and for other purposes.

By Mr. MULDER

MARCH 29, 1956
Referred to the Committee on Interstate and Foreign Commerce

ADMINISTRATIVE FILE
Federation News

September 29, 1958

C
O
P
Y

Mr. Irwin E. Klass
The Federation News
666 Lake Shore Drive
Chicago 11, Illinois

Dear Irwin:

Thanks for sending me a copy of the F-DEATION with the editorial on business ethics. I am taking home Fortune magazine to read the article by Rabbi Minklastein. I quite agree with the comments of the editorial.

It was good seeing you at our conference in Chicago and will look forward to seeing you sometime on a future visit to your City.

Fraternally yours,

H. J. GIBBONS,
EXECUTIVE ASSISTANT TO THE
GENERAL PRESIDENT

HJG/yk

IRWIN E. KLASS
Editor

PUBLICATION COMMITTEE:

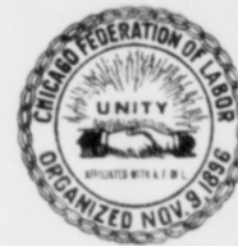
William A. Lee
William F. Cleary
Irwin E. Klass

The FEDERATION NEWS

Published by the Chicago Federation of Labor

666 LAKE SHORE DRIVE
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Phone MOhawk 4-2400



September 26, 1958

Mr. Harold Gibbons, Executive Vice-President
International Brotherhood of Teamsters
25 Louisiana Avenue, N. W.
Washington, D. C.

Dear Harold:

I thoroughly enjoyed the conference here. I've looked through the research reports and they reflect a tremendous amount of work by some very able people. Labor's researchers: please copy.

Enclosed is a copy of our latest effort. The editorial "Business Ethics and Labor" is based on the piece in Fortune for September. You may find the complete article by Rabbi Finklestein useful.

I will send you the piece on "Jimmy Hoffa as Symbol" when I can retrieve it from the University of Chicago. It seems that it's being circulated around the ivory towers which became a subject of discussion during your "conversations" with the committee.

Best wishes

Irwin E. Klass

ADMINISTRATIVE FILE
Federline, Andrew P.

February 15, 1957

Mr. Andrew P. Federline
Highway Safety Consultant
261 Constitution Avenue, N. W.
Washington 1, D. C.

Dear Mr. Federline:

Enclosed you will find a list of representatives of either our local unions or other subordinate bodies who would best be able to give to you aid and assistance in your program of unification of safety laws.

I am including a paragraph in this letter which will serve as a note of introduction to our various representatives and you might bring this to the attention of the individuals with whom you happen to be in conference:

"This is in the form of an introduction of Mr. Andrew P. Federline, a highway safety consultant stationed in Washington, D. C. The office of the International Union is desirous of giving him whatever aid and assistance that would be possible for our people to perform in their respective communities."

Very truly yours,

Einar O. Mohn
Assistant to the
General President

BOM/slb
RLG

Encl

ALABAMA:
Morris Alpert
362 South Washington Ave.
Mobile, Alabama
Phone: Hemlock 2-5639

ARIZONA:
George Sebestyen
112 North Fifth Avenue
Phoenix, Arizona
Phone: Alpine 8-8275

COLORADO:
E. D. Woodard
3245 Eliot Street
Denver, Colorado
Phone: Genessee 3-6348

FLORIDA:
Joe Morgan
4028 1/2 Nebraska Avenue
Tampa, Florida
Phone 34-3161

IDAHO:
Frank Baldwin
208 North 16th Avenue
Boise, Idaho
Phone: 3-5439

ILLINOIS:
John T. O'Brien
4217 South Halsted Street
Chicago, Illinois
Phone: Cliffside 4-3210

IOWA:
Carl Keul
1155-60 Rand Tower
Minneapolis, Minn.
Phone: Federal 6-3359

or

1105 Gratis Avenue
Des Moines, Iowa
Phone: 4-2314

KANSAS:
Roy Williams
116 W. Linwood
Kansas City
Phone: Logan 1-2583

MISSOURI:

MARYLAND:
Clifford Kohne
6000 Erdman Avenue
Baltimore, Maryland
Phone: Eastern 7-3700

MICHIGAN:
James R. Hoffa
2741 Trumbull Avenue
Detroit, Michigan
Phone: Woodward 1-1241

or

Frank Fitzsimmons
same address

MINNESOTA:
Carl Kaul
1155-60 Rand Tower
Minneapolis, Minn.
Phone: Federal 6-3359

MISSOURI:
Harold J. Gibbons
1641 South Kingshighway
St. Louis, Missouri
Phone: Central 1-6722

MEXICO:
Faro Caudill
509 2nd Street, S. W.
Albuquerque, New Mexico
Phone: 7-9242

OHIO:
Lawrence Steinberg
435 S. Hawley Street
Toledo, Ohio
Phone: Cherry 8-5351

OREGON:
Clyde Crosby
1020 N. E. Third Avenue
Portland, Oregon
Phone: Belmont 2-8171

RHODE ISLAND:
Alexander Hylek
4 Anne Street
Providence, Rhode Island
Phone: Gaspee 1-8705

SOUTH CAROLINA:

J. B. Lawson
2006 Sumter Street
Columbia, South Carolina
Phone: 6-0515

TEXAS:

Ralph Dison
1330 North Industrial Blvd.
Suite 212
Dallas, Texas
Phone: Riverside 1-4763

WEST VIRGINIA:

Eugene Carter
4515 McCorkle Ave., S.E.
Charleston, West Virginia
Phone: Walnut 5-2186

WISCONSIN:

Frank H. Ranney
816 West National Avenue
Milwaukee, Wisconsin
Phone: Mitchell 5-2190

CONFIDENTIAL FILE
Fellows, Frederick J.

April 8, 1959

Mr. M. W. Miller, Chairman
Southern Conference of Teamsters
1330 N. Industrial Blvd.
Dallas, Texas

Dear Sir and Brother:

Attached is a letter received re Frederick J. Fellows.

Since we do not keep a membership roll here in our
International office, I am forwarding it to you.

Fraternaly yours,

James R. Hoffa
General President

JRH/yk
Enc.

ADMINISTRATIVE FILE
Felter, Harry C.
X

January 17, 1964

Mr. Harry C. Felter
2130 East Tremont Avenue
Bronx 62, New York

Dear Mr. Felter:

Thank you for your communication of January 15th,
concerning middle-income housing.

Unfortunately, at the present time, our organization
is in no position to participate in this venture.

Very truly yours, '

James R. Harding
Special Assistant to
the General President

JRH/mc

H. C. FELTER and Associates

CONSTRUCTION • NEGOTIATOR • CONSULTANTS
EXPORT • IMPORT • BUILDING SUPPLIES

2130 EAST TREMONT AVENUE
BRONX 62 NEW YORK

January 15th., 1964.

Mr. James Haffa, General Pres.
I.R. of T.
15 Louisiana Avenue, N.W.
Washington 1,
D.C.

Urban Renewal Development Loans,
to be improved and built on.
Available to us.

Dear Mr. Haffa, Esq.
And Lieutenants:

Gentlemen:

We are not soliciting funds, but merely asking assistance from your organization, which is in a position to help, if it will.

No doubt many of your members and citizens in your area are in need of middle income housing, which they have not been able to obtain in this high rental market. THIS IS TRULY POSSIBLE, as our Federal Government has made it possible under Section 221-D-3 Non-Profit Sponsored Housing Act. Your assistance is needed to act as the sponsor on this type of housing, as we will act solely as the General Contractor. When project is completed, the sponsor will own the buildings, subject to the first deed of trust on record. The low rental is accomplished by the low interest rate extended by the Government for a forty year period.

WOUL'D YOUR ORGANIZATION PLEASE HELP US HELP THE FOLKS NOW!

Your attention in this matter is appreciated, awaiting your reply,

Very truly yours,

Harry C. Felter

P/S: Mr. Haffa. As we are going to operate on an National Basis, probably some of the other areas in the U.S. of your Organization might be interested. Please pass this word on to them in the areas you so choose.
Thank you kindly.

Office of the General President
To: Mr. Mullenholz

From: Mr. Hoffa

Re: Harry R. Fenton & Associates

After you have read the attached, discuss
with me - I have notes on it..

James R. Hoffa
General President

JRH/js

Enc.

ADMINISTRATIVE FILE
Fenton, Harry R. & Asso.
December 31, 1959
DATE

Ferguson, John
X Island Trees High School
X Mr. Murray E.
X Education

October 28, 1963

Mr. Murray E. Wilkow
Guidance Counselor
Island Trees High School
Island Trees 6, Levittown, N. Y.

Dear Mr. Wilkow:

I have your letter of October 24, 1963 and regret
to advise you that our organization does not have a scholarship
fund to provide scholarships for deserving students. Therefore,
We are in no position to assist you.

Very truly yours,

James R. Hoffa
General President

JRH/yk

ISLAND TREES HIGH SCHOOL

STRAIGHT LANE
ISLAND TREES 6, LEVITTOWN, N. Y.
PERSHING 1 4020

Guidance Department

October 24, 1963

Mr. James Hoffa, President
International Brotherhood of Teamsters
25 Louisiana Avenue N.W.
Washington 1, D. C.

Dear Mr. Hoffa:

I write you today to present the facts in the life of a young man who needs help. John Ferguson, a senior at the Island Trees High School, Levittown, New York is a counslee of mine. John's father, who was a truck driver and a member of the Teamsters Union, died suddenly last year. Mrs. Ferguson was adversely affected by this untimely death and is now institutionalized, leaving John in charge of the home. The family is being sustained by Social Security and insurance payments.

John has always planned to attend college and is very well qualified to do so. He is presently attempting to overcome the financial problems which appear to him to be almost insurmountable at this time. It is in relation to these financial problems that I call John to your attention. It is within your province to help John.

Very truly yours,

Murray E. Wilkow
MURRAY E. WILKOW
Guidance Counselor

MEW:mr

INVESTIGATIVE FILE
Ferguson, H.K. Co.

INTER-OFFICE COMMUNICATION

From the Office of JOHN F. ENGLISH

Date April 17, 1957

To ROBERT L. GRAHAM

Subject TELEGRAM FROM F. D. HOEKSTRA OF THE H. K. FERGUSON COMPANY, CLEVELAND, OHIO

The attached telegram dated April 16, 1957, is referred to you for your information and disposition.

JOHN F. ENGLISH
GENERAL SECRETARY-TREASURER

JFE:mjc
Att. -1

Gene Carter is in situation

Send to Shanty
Mills
I recommend that
we go along with
this program.
Wm.

ADMINISTRATIVE FILE ✓
Ferguson H. K. Co.
X Buckeye Cellulose Job-
X

SEPTEMBER 24, 1953

Mr. Murrey W. Miller, General Organizer
516 Browder St.
Dallas, Texas

Dear Sir and Brother: Re: H. K. Ferguson Company
Buckeye Cellulose Job at
Foley, Florida

Mr. E. D. Hoehstra, labor relations representative for the above company, has been in touch with our office relative to their proposed method for obviating labor difficulties on the Buckeye Cellulose job at Foley, Florida. Apparently, there has been constant interruption on the job by one or more of the several crafts employed, this for various reasons not the least of which is the fact that there is no central labor body in the area and, therefore, the crafts come from several different cities.

I am sending you their written proposal submitted to our International Union, this also having been tendered to and, according to Hoehstra, accepted by all those other International Unions to which he has proposed it. I feel it is a substantial method and it is my recommendation to you that we become party thereto. Will you make the necessary arrangements and advise them that you, as International Organizer, will represent this International Union? Please keep me advised of action taken.

Faternally yours,

EOM:aw
a
enc.

Einar O. Mohn, Assistant to
the General President.

THE H. K. FERGUSON COMPANY
INCORPORATED

FERGUSON BUILDING
1174 AT WALKER
CLEVELAND 14, OHIO
August 31, 1953

*PLAN TO CORRECT LABOR SITUATION
HOCKEY CELLULOSE CORPORATION PROJECT
POLLY, FLORIDA

This proposal is prepared in the light of the following facts:

- (1) For some months, the project has been subjected to almost constant harassment from local union officials who either order or permit their members to engage in concerted work stoppages.
- (2) These stoppages have involved a number of trade unions and have occurred for a variety of ostensible reasons. A tabulation of these stoppages and their apparent causes is attached.
- (3) The cumulative effect of these stoppages has been to increase unreasonably the cost of construction, to delay urgent and previously assured completion dates, and to raise very serious questions not only as to the management ability of the Ferguson Company but also as to the basic labor policies heretofore established, recognized and pursued on the project.
- (4) Any continuance of this state of affairs or any further strikes by any local union will almost certainly lead the owner to consider drastic action adverse to the interests of both the company and the building trades unions.
- (5) Regardless of the cause, there apparently has developed a mutual lack of confidence between present representatives of the company and the present representatives of the unions, a situation which can be corrected only by changes on both sides.

In view of the above, I propose the following:

COMPANY ACTION

We should establish a special panel composed of the following:

Mr. Eric Miller, Personnel and Labor Relations Manager
Mr. Gordon Wagner, Construction Manager
The undersigned

INDUSTRIAL ENGINEERS AND BUILDERS
MAIN OFFICE: 100000 BUILDING, CLEVELAND 14, O. CREDIT 1470
NEW YORK OFFICE: 100000 BUILDING, NEW YORK 17, N. Y. CREDIT 1470
TEXAS OFFICE: 100000 BUILDING, HOUSTON 2, TEXAS - PRESTON 9134

THE H. K. FERGUSON COMPANY
INCORPORATED

FERGUSON BUILDING
15TH AT WALNUT
CLEVELAND 14, OHIO

These three would arrange their affairs to make sure that, at all times and for as long a period as may be necessary, one of them would be on the project site as a special representative of the Company management to handle labor grievances in collaboration with the project manager.

It would be understood that this special representative would give prompt attention to any complaint that may be presented by any authorized local union representatives and that he take up with our main office any situation which he believes may lead to a work stoppage.

UNION ACTION

A representative of the company should be assigned immediately to make a tour of the headquarters offices of all of the principal international unions and arrange in each case for a meeting with the general or international president or one of his headquarters representatives.

Purpose of the visit in each case should be:

- (1) to emphasize the extreme seriousness of the situation.
- (2) to make it clear that even one more stoppage cannot be tolerated.
- (3) to describe the special arrangements we are making to handle disputes which may arise henceforth on the project.
- (4) to persuade the president to give this problem his personal attention. Specifically he should be urged to write a letter to his local business agent explaining the seriousness which both he (the president) and the company view the present situation. He should instruct the business agent not to tolerate a work stoppage of any kind without
 - (a) attempting to settle grievances with the company's special representative on the site, and
 - (b) prior and personal clearance with the general president.

INDUSTRIAL ENGINEERS AND BUILDERS
MAIN OFFICE: FERGUSON BUILDING, CLEVELAND 14, O. C-1887 1610
NEW YORK OFFICE: 19 HECTOR ST.-NEW YORK 6, N. Y. WHITENALL 4-9357
TEXAS OFFICE: 600 D BULWING, HOUSTON 2, TEXAS PRELTON 5124

THE H. K. FERGUSON COMPANY
INCORPORATED

FERGUSON BUILDING
100 AT WALKER
CLEVELAND 14, OHIO

International Union headquarters to be visited personally should include those of the following unions:

Int'l Brotherhood of Boilermakers, Iron Ship Builders and Helpers, Kansas City.

Int'l Ass'n of Bridge, Structural and Ornamental Iron Workers, St. Louis.

United Brotherhood of Carpenters and Joiners of America, Indianapolis.

Brotherhood of Painters, Decorators and Paperhangers of America, Lafayette.

United Ass'n of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, Washington.

Int'l Team Carriers, Hldg. and Common Laborers Union, Washington.

Sheet Metal Workers' International Ass'n, Washington.

Int'l Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, Washington.

Int'l Union of Operating Engineers, Washington.

Bricklayers, Masons and Plasterers' International Union, Washington.

E. D. Hockstra

INDUSTRIAL ENGINEERS AND BUILDERS
MAIN OFFICE: FERGUSON BUILDING, CLEVELAND 14, O. CREDIT 5670
NEW YORK OFFICE: 10 BROAD ST. NEW YORK 6, N.Y. WHITENALL 3-8327
HOUSTON OFFICE: 808 BUILDING, HOUSTON 2, TEXAS. PRISTON 8194

THE H. K. FERGUSON COMPANY
INCORPORATED

FERGUSON BUILDING
176 E. WALNUT
CLEVELAND 14, OHIO

LIST OF MEN WHO STOPPED
FULL-TIME

<u>Union</u>	<u>Period of Stoppage</u>	<u>Reason</u>	<u>No. of Men</u>	<u>Man-Days Lost</u>
Boilermakers	7-10-53 - 8-21-53	Jurisdiction	31	496
Electricians	7-1-53 - 7-20-53	Discharge	68	816
Operating Engineers	8-26-53 - 8-28-53	Subsistence	17	20
Pipe Fitters	6-29-53 - 7-7-53	Jurisdiction and Discharge	112	560
Pipe Fitters	8-5-53 - 8-11-53	Wages	21	21
Carpenters	8-28-53 - 8-28-53	Subsistence	Undetermined	8
Iron Workers	8-26-53 - -----	Jurisdiction	130	Undetermined

INDUSTRIAL ENGINEERS AND BUILDERS

MAIN OFFICE: FERGUSON BUILDING, CLEVELAND 14, O. CHERRY 3870
NEW YORK OFFICE: 15 DECTOP ST. NEW YORK 6 N.Y. WHITERHALL 9-0397
TEXAS OFFICE: 808 BUILDING, HOUSTON 2, TEXAS. PRABTON 8134

THE H. K. FERGUSON COMPANY
INCORPORATED

FERGUSON BUILDING
140 ASHLAND ST.
CLEVELAND 14, OHIO

JULY

2	3	4	5	6	7	8
				9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST

						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

INDUSTRIAL ENGINEERS AND BUILDERS
HAWK OFFICE-FERGUSON BUILDING-CLEVELAND 14, O. CHERRY 5570
NEW YORK OFFICE: 19 DECATUR ST. NEW YORK 5, N. Y. WHITEHALL 5-0987
TEXAS OFFICE-W & N BUILDING-HOUSTON 2, TEXAS-PRESTON 5134

File

DAVE BECK
General President

AFFILIATED WITH
AMERICAN
FEDERATION
OF LABOR



International Brotherhood of
**TEAMSTERS, CHAUFFEURS
WAREHOUSEMEN & HELPERS of America**

552 DENNY WAY • SEATTLE 9, WASHINGTON • EL. 2544

January 11, 1954

ADMINISTRATIVE FILE

Organized
R. Ferguson, Robert F.
x Major Overall Cleaning
Service

Mr. Einar Mohn
International Brotherhood of Teamsters
100 Indiana Avenue N. W.
Washington 1, D. C.

Dear Sir and Brother:

I am enclosing correspondence between Al Evans
and myself as it relates to Robert F. Ferguson,
Sr., and the Major Overall Cleaning Service.

I think it necessitates personal discussion
with Evans and I, therefore, request that you
notify him to go over the subject matter with
you the first time he is in Washington.

Fraternally yours

Dave Beck

DB:mg
Enc.



**INTERNATIONAL BROTHERHOOD
OF
TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS
OF AMERICA**

AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR

6001 Pulaski Highway
Baltimore 5, Maryland
January 5, 1954

Deve Beck, General President
International Brotherhood of Teamsters
552 Denny Way
Seattle, Washington

Dear Sir and Brother:

Referring to your letter of December 30, 1953, and the enclosed letter from Robert F. Ferguson, I have checked this matter through our Joint Council and here is what I have learned:

Major Overall Cleaning Service, by whom Ferguson is employed, is owned by three brothers named Sherman. These same Sherman brothers also operate the Major Oil Company, operating 12 trucks and both firms are unorganized.

As part of our organizational program in Baltimore a concerted effort has been made by Joint Council #62 to stop Major Overall Cleaning Service and Major Oil Company from dealing with any firm under contract with the I.B.T. or the I.A.M. until both of these companies are organized. Joint Council #62 has been successful in having most of our employers who were dealing with Major Overall Cleaning Service transfer their business to one of the 5 union overall cleaning companies in Baltimore. They have also been successful in defeating the attempt of Major Overall Cleaning Service to solicit new business among firms under contract with either International Union.

This letter from Ferguson leads me to believe we are harming Major Overall Cleaning Service more than we had first believed. However, so far we have made no great progress with the Major Oil Company and Joint Council #62 of Baltimore asked that pressure on the Major Overall Cleaning Service not be relaxed until the Sherman Brothers and their employees at Major Oil Company are also organized.

William Hundertmark, representing Local Union 622 who has the overall cleaning companies in membership, has talked to Ferguson on several occasions and has offered to accept him into

Deve Back, General President

- 2 -

January 5, 1954

membership in Local Union 622 if Ferguson would work with Teamsters Joint Council #62 in assisting us to organize employees of the Major Oil Company, since Ferguson was employed by Major Oil Company for a number of years before he was transferred to the service of Major Overall Cleaning Service. Ferguson refused to cooperate with Hundertmark on this basis.

However, if you feel that the Major Overall Cleaning Service should be recognized at this time, and no one in Joint Council #62 doubts that the Sherman Brothers will jump at the chance to conclude an agreement with our Local Union 622 covering Major Overall Cleaning Service only, advise us of your wishes and I shall see that such a contract is worked out.

Fraternally yours,

Al Evans
Al Evans

Encl.
AE/b

DAVE BECK

552 DENNY WAY
SEATTLE 9, WASHINGTON

December 30, 1953

Mr. Al Evans, General Organizer
International Brotherhood of Teamsters
Joint Council Office
6001 Pulaski Highway
Baltimore, Maryland

Dear Sir and Brother:

I am enclosing letter dated December 11,
1953, received by me from Mr. Robert F. Ferguson,
Sr., 1501 Worn Street, Baltimore 17, Maryland.

Will you please give this matter your
immediate attention and report back to me
relative to same?

Praternally yours,

DB:mg
Enc.

STANDARD INDUSTRIAL
CORPORATION

W12 3 4 W 12

STANDARD
CORPORATION

RECEIVED

DAVE BECK
1922 DENNY WAY
SEATTLE 9, WASHINGTON

December 30, 1953

Mr. Robert F. Ferguson, Sr.
1501 John Street
Baltimore 17, Maryland

Dear Sir:

This will acknowledge receipt of your letter dated December 11, 1953, relative to becoming a member of Local Union No. 622.

Please be advised that your letter has been referred to Mr. Al Evans, General Organizer for the International Union in Baltimore, for attention and report back to me.

Very truly yours,

DB:mg

DAVE BECK
1922 DENNY WAY
SEATTLE 9, WASHINGTON

1501 John St.
Baltimore 17, Md.
December 11, 1953.

Mr. Dave Beck
General President
552 Denny Way
Seattle, Wash.

Dear Mr. Beck,

I am a chauffeur on delivery of uniform-overall service for the Major Overall Cleaning Service. Recently I applied for membership to local # 622 which represents the chauffeurs in this city in our industry.

We are a new company in this business and at present I am the only chauffeur employed. However, we do expect to expand and as we grow so will the membership of local # 622.

I can not understand why I have been turned down by your Mr. Hundertmark from membership to your local as I personally can see no reason. In fact, for the past few months the A.F. of L. has publicized that they are seeking new membership and are putting forth all possible efforts to increase their present membership. Why then should I be refused admittance to local # 622 when I would actually be in a position to benefit the local? Neither Mr. Hundertmark nor anyone else seems to be able to give me an answer here at Baltimore and I would certainly greatly appreciate your looking into the matter for me.

I would appreciate your checking into the matter for me at your earliest possible convenience.

Very truly yours,
Robert F. Ferguson, Sr.
Robert F. Ferguson, Sr.

*Rec'd
Air Mail - registered
Return receipt requested*

ADMINISTRATIVE FILE ✓
Fernandes, Raymond J.
X 2 251
X

November 18, 1954

Mr. Nicholas Morrissey, General Organizer,
International Brotherhood of Teamsters,
650 Beacon Street,
Boston, Massachusetts.

Dear Sir and Brother:

L.U. # 827
Raymond J. Fernandes

The enclosed photostatic copy of letter from the above captioned,
is being forwarded for your attention and any action indicated.

Fraternally,

RLG:b

Robert L. Graham, Assistant
to the General President

61 Burnside Ave.
Newport, D.C.

I. B. T. C. W. and H.
Union of America
Affiliate of the A. F. of L.
Washington, D. C.
Dear Sir

Woke
Morning

I am writing to you trying to find out something with the Teamsters Union. You see I was a member of Local 827 of Newport, R. I.

I'll tell you the truth I was laid off on this particular job as a truck driver I had loafed around for quite awhile. Then I was called to go to work for a Civil Job for the U. S. Navy.

I had work and paid my dues until one day the Business Agent of Local 827 gave me a With-Drawl Card and told me it would be good if I wanted to come back to work. In Local 827 I was treated the best. And I had no kick coming from anyone.

It all began around early of 1949
I could be wrong Local 827 was
taken over by Local 251 of Providence
R.I. Well I had met the President
of Local 827 he told me if I wanted
to be in good standing for me to
turn in my Local 827 Withdrawal
Card to Local 251 in Providence
Because Local 827 was abolished.

So I went a took a day off
on my Civil Service job and reported
to Local 251, 4 Ann St. Providence
I turned the card over to a
Secretary who was collecting Dues
She told me that Anthony
Morris would get in touch
with me in the near future

I have went to Providence
trying to find out about the
Withdrawal Card I had turned over
to Mr Morris this was over
4 years ago. Mr Morris never
could find time to make out
a card or write me a letter

(3)

stating what to do. One time I got laid off I was offered a job well the job had to come from the Local 251 Union Hall.

Still Mr. Morris had no time to be bothered with me. So at that time I smelt of a rat and I could never find out just what had happened to my withdrawn Card. So top it all one of Mr. Morris's Pals got the job and I was left out.

I know that a man being a Business Agent should have some knowledge of Fair Play. And should learn how to treat each and every individual regardless of his Race Color or Creed with some respect. I just don't like being made a Damn Fool of. Especially when I know something of Union Law.

I am just sick and tired

(4)

of being pushed around by
Mr Morris and his so-called
Click. Until I can put up a fight.

I am not given withdrawal
Cards to Mr Morris so he can
tear up and throw in the
waste Basket especially when I
am not there to watch him.

I want to know also since I
have been in the Union. Some of
the Teamsters took Civil Service jobs
and they had received Withdrawal
Cards. I had seen them and I
saw the Business agent's name sign
to these cards I ask you again
Is that right. Here I tried to
be reasonable and patient and I
got the "Bum's Rush" for what
by just trying to do what was right.
Well I will close for now
and I do hope to hear from you
I am

Sincerely Yours

Raymond J. Fernandez

ADMINISTRATIVE FILE ✓

Ferrara, Thomas
X 10 16
X

October 19, 1956

Mr. Thomas Ferrara
156-01 46th Avenue
Flushing 55, New York

Dear Sir and Brother:

I am in receipt of your letter as it pertains to your termination from a company with which you have 18 years service and also wherein you mention it is extremely difficult for you to gain further employment because of your age.

Specifically, it is not within the province or the jurisdiction of this International Union as such to cause your employment by some company who has for some reason or other age limitation on new employees. My only suggestion at this particular time would be to keep in close contact with your local union and seek assistance there for future employment.

I must add to this communication that this is a very serious problem which is confronting our economy today and it is one that is given and will be given serious consideration on the part of this International Union. Unfortunately, the immediate solution to this problem is not in the foreseeable future but despite this, we are doing everything that we can to alleviate the situation such as that in which you find yourself.

Fraternally yours,

Robert L. Graham
Assistant to the
General President

RLG/alb

10/10/56

Dear Beck
General President
25 Louisville, N.Y.
Wash. D.C.

Dear Brother Beck.

Writing you this letter may be something very unusual. I have been a member and also a Recording Secy. for a Local Teamsters Union for the past nine years. Joint Council #16 of N.Y.C. N.Y.

I have been employed for one company 18 years I am 52 years of age and have been terminated from this company because they moved out of the city.

I have been seeking employment for the past 3 months and it is the same story. I'm too old or the job I am offered ~~at~~ salaries that would be only cigarette money.

The reason I am pointing this out to you is that it's about time something is done about this situation because it's becoming a very serious matter for both the country and labor unions.

I purchased a house 9 years ago believing that both the country and labor unions were in a

Sourb, Wny. I have a \$8,000 mat.
to be paid upon my house and
am the only work of my family
of four⁽⁴⁾. What do I do? I have
the only decent thing I have worked
30 years for or the Warden.

I have a fairly good education
citizen & born in this country. I hope
you can solve this situation not
only for me but for thousands
in the same position.

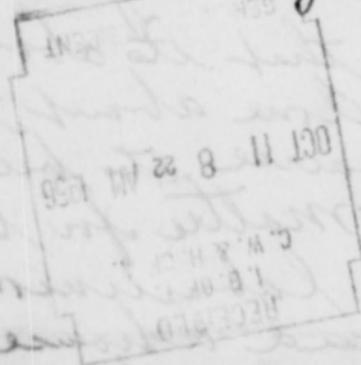
Hoping you will give this
situation your immediate attention
I am, fraternally, your

Respectfully

Thomas Ferrara

156-01 46th Ave

Flushing 55, N.Y.



ADMINISTRATIVE FILE

Ferrari, O.G.

X

X

June 29, 1939

Mr. Hawk Hughes
Local Union No. 371
2116-5th Avenue
Rock Island, Illinois

Dear Brother Hughes:

Attached is a communication from O. G. Ferrari
of Edwardsville, Illinois.

I am sending this to you in the hopes that something
can be done about having someone talk to Ferrari and
explain our inability to control the routing of trucks.

It might be a worthwhile public relations gesture
on our part.

Fraternally yours,

H. J. Gibbons,
Executive Assistant to the
General President

HJG/ja
Enc.

June 29, 1959

Mr. O. G. Ferrari
No. 7th Street
Andrews Place
Edwardsville, Illinois

Dear Mr. Ferrari:

I have your letter of June 18th in which you complain about the refusal of certain trucks to use Route 66 and instead, coming through your community.

I am thoroughly sympathetic with the problem you have and your concern for it. However, our Union has no priority to determine the routes to be followed by the trucks owned by employers with whom we have contracts. Basically, this is a matter of I.C.C. regulations.

I have taken the liberty of forwarding your letter to one of our representatives in the area and have asked that he contact you and discuss this problem further.

Thanking you for your communication, I am

Very truly yours,

James R. Hoffa
General President

JRH/hjg/js

MR. JAMES R. HOFFA
PRESIDENT, TEAMSTERS
WASHINGTON, D.C.

7 ST. ANDREWS PL.
EDWARDSVILLE
ILLINOIS.
JUNE 16, 1950.

DEAR MR. HOFFA:

THIS WILL NOT MAKE YOU HAPPY IN ALL PROBABILITY, HOWEVER, YOU ABOVE ALL PEOPLE SHOULD BE CONCERNED.

WE HAVE A SAD CONDITION BROUGHT ABOUT BY YOUR TRUCKS. I SAY YOUR TRUCKS, BECAUSE THEY ARE YOUR TRUCKS JUST AS MUCH AS THE DIRT IN MY BACK YARD BELONGS TO ME. THE AFORESAID CONDITION IS DUE TO THE FACT THAT YOUR TRUCKS REFUSE TO USE A FINE NEW DUAL LANE HIGHWAY (ROUTE 66). THEY PREFER COMING THROUGH AND OBSTRUCTING TRAFFIC, TEARING UP CITY STREETS THAT ARE ALREADY BADLY IN NEED OF REPAIR, AND MAKING ENOUGH NOISE TO SCARE MY CHILDREN RIGHT OUT OF BED. THESE DRIVERS ARE SHOWING A CONTEMPT FOR THIS CITY THAT IS ONLY EQUALLED BY THE TEAMSTER HIERARCHY FOR THE PEOPLE OF THE COUNTRY AND THE LAWS OF THE NATION WRITTEN OR UNWRITTEN.

THESE DRIVERS ARE A MENACE TO SOCIETY, AND ALSO TO THE CHILDREN OF THE CITY. THEY ARE CONSTANTLY WARNED ABOUT SPEEDING AND NOISE. THIS, I GUARANTEE, DOES NO EARTHLY GOOD. I HAVE COUNTED A SUCCESSION OF 11 TRUCKS FOLLOWING EACH OTHER THROUGH THE CITY. WHY, THEN, THERE HAS BEEN A NEW HIGHWAY SPECIFICALLY CONSTRUCTED FOR THEM AND ALL THE HEAVY TRAFFIC IN CENTRAL ILLINOIS TO BE ABLE TO SPEED THEM TO THEIR DESTINATIONS UNHINDERED. IS THERE SOME GREAT THRILL IN MAKING ENEMIES WITH THE PUBLIC? THERE MUST BE, BECAUSE THESE MANEUVERS ARE ONLY SERVING TO HELP THE PUBLIC TO THE REALIZATION THAT IT TAKES A VERY LOW MENTALITY TO OPERATE A TRUCK. A SPRINKLING OF HOMICIDE IN THE MAKE-UP IS ALSO A NECESSITY IN ORDER TO BE A REAL

NE-MIN TYPE TRUCK DRIVER. DO YOU REMEMBER THE FEELING OF HERO-WOR-
SHIP THAT USED TO COME OVER KIDS AS THEY WATCHED TRUCKS GO BY? THEY
USED TO INCLUDE THIS IN THE LIST OF THINGS TO "BE WHEN I GET BIG."
TALK TO KIDS THAT LIVE IN A TOWN SUCH AS OURS. THEY HAVE BLANK EXPRES-
SIONS ON THEIR FACES, AND DON'T KNOW WHAT TO DO WHEN THEY SEE A TRUCK
PULL UP AND A DRIVER GET OUT. IT'S A MIXED FEELING OF HATE AND FEAR.
I HAVEN'T HEARD A BOY EXPRESS A DESIRE TO BE A TRUCK DRIVER SINCE
I GOT OUT OF THE SERVICE, AND EVEN THE SO-CALLED TEEN-AGE TOUGH -
GUYS, WOULDN'T TOUCH A TRUCK WITH A TELEPHONE POLE.

NOW FRANKLY, I CONSIDER THIS LETTER TO
HAVE AS MUCH EFFECT ON YOU AS SOME OF THE MORE POINTED ATTACKS HAVE
IN THE PAST FROM MEN WHO ARE MORE EXPERIENCED AT THIS SORT OF THING.

I AM ONLY SPEAKING AS ONE PERSON, BUT I
CAN ASSURE YOU THAT I'LL TRY TO AROUSE THE WHOLE TOWN IN SYMPATHY.

IM OFFERING YOU THIS CHANCE TO SHOW THE
PEOPLE OF THIS COUNTY-SEAT THAT YOUR MAIN OBJECTIVE IS NOT TO GET
THE WHOLE WORLD MAD AT YOU, BUT THAT YOU DO HAVE A FUNCTION TO PER-
FORM AS THE PRESIDENT OF THE TEAMSTERS OF THE U.S. THIS IS ONE OF
THE MAIN FUNCTIONS OF YOUR OFFICE, TO KEEP THE PEACE WITH THE PUB-
LIC. I OFFER YOU A CHANCE TO START IN THIS AREA. YOU CAN BE SURE
THAT THE PEOPLE OF THIS SECTION WILL KNOW OF ANY GOOD DEED THAT YOU
PERFORM IN OUR FAVOR. WE WOULDN'T EVEN OBJECT IF YOU TURNED IT OVER
TO ONE OF YOUR LIEUTENANTS FOR DISPOSITION....MAYBE MR. GIBBONS,
INDEED AS HE IS A NEIGHBORING ST. LOUISIAN, AND THE BRUNT OF THE TRAFFIC
IS FROM ST. LOUIS TRUCKING FIRMS.

NEVER SAY DIE,

MR. D. J. FERRARI

ADMINISTRATIVE FILE ✓

Festival Act

Legislation - S. 4216

Festival of the Americas

Tariff Act of 1930

84TH CONGRESS
2D SESSION

S. 4216

IN THE SENATE OF THE UNITED STATES

JULY 18, 1956

Mr. DOUGLAS introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To permit articles imported from foreign countries for the purpose of exhibition at the Festival of the Americas, to be held at Chicago, Illinois, to be admitted without payment of tariff, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That any article which is imported from a foreign country
- 4 for the purpose of exhibition at the Festival of the Americas
- 5 (hereinafter in this Act referred to as the "festival") to be
- 6 held from August 26, 1957, to September 4, 1957, inclusive,
- 7 by the Festival of the Americas, Incorporated, a corpora-
- 8 tion, or for use in constructing, installing, or maintaining
- 9 foreign exhibits at the festival, upon which article there is a

1. ~~any~~ tariff or customs duty, shall be admitted without payment of
 2 such tariff or customs duty or any fees or charges under
 3 such regulations as the Secretary of the Treasury shall
 4 prescribe.

5 SEC. 2. It shall be lawful at any time during or within
 6 three months after the close of the festival to sell within the
 7 area of the festival any articles provided for in this Act,
 8 subject to such regulations for the security of the revenue
 9 and for the collection of import duties as the Secretary of
 10 the Treasury shall prescribe. All such articles, when with-
 11 drawn for consumption or use in the United States, shall be
 12 subject to the duties, if ~~any~~ imposed upon such articles by
 13 the revenue laws in force at the date of their withdrawal;
 14 and on such articles which shall have suffered diminution or
 15 deterioration from incidental handling or exposure, the duties,
 16 if payable, shall be assessed according to the appraised value
 17 at the time of withdrawal from entry under this Act for con-
 18 sumption or entry under the general tariff law.

19 SEC. 3. Imported articles provided for in this Act shall
 20 not be subject to any marking requirements of the general
 21 tariff laws, except when such articles are withdrawn for con-
 22 sumption or use in the United States, in which case they
 23 shall not be released from customs custody until properly
 24 marked, but no additional duty shall be assessed because such

1 articles were not sufficiently marked when imported into the
2 United States.

3 SEC. 4. At any time during or within three months
4 after the close of the festival, any article entered under this
5 Act may be abandoned to the United States or destroyed
6 under customs supervision, whereupon any duties on such
7 articles shall be remitted.

8 SEC. 5. Articles which have been admitted without
9 payment of duty for exhibition under any tariff law and
10 which have remained in continuous customs custody or
11 under a customs exhibition bond and imported articles in
12 bonded warehouses under the general tariff law may be
13 accorded the privilege of transfer to and entry for exhibition
14 at the festival, under such regulations as the Secretary of
15 the Treasury shall prescribe.

16 SEC. 6. The Festival of the Americas, Incorporated, shall
17 be deemed, for customs purposes only, to be the sole con-
18 signee of all merchandise imported under this Act. The
19 actual and necessary customs charges for labor, services, and
20 other expenses in connection with the entry, examination,
21 appraisement, release, or custody, together with the neces-
22 sary charges for salaries of customs officers and employees in
23 connection with the supervision, custody of, and accounting
24 for, articles imported under this Act, shall be reimbursed by

the Festival of the Americas, Incorporated, to the United States, under regulations to be prescribed by the Secretary of the Treasury. Receipts from such reimbursement shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930, as amended (19 U. S. C. 1524).

84TH CONGRESS
2D Session
S. 4216

A BILL

To permit articles imported from foreign countries for the purpose of exhibition at the Festival of the Americas to be held at Chicago, Illinois, to be admitted without payment of tariff, and for other purposes.

By Mr. DOWD

JUNE 13, 1936

Read twice and referred to the Committee on Finance